#### **INDEX OF EXHIBITS**

Exhibit No.	Exhibit Name
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2.	CAID Photographs
3.	Vicki Yost Deposition Transcript.
4.	Daniel Buglo Deposition Trnascript
5.	CAID Funk Night Advertisements.
6.	Daniel Buglo DPD Preliminary Complaint Record dated 3/29/08)
7.	Daniel Buglo DPD Preliminary Complaint Record dated 4/26/08).
8.	Jason Leverette-Saunders Deposition Transcript
9.	Darlene Hellenberg Deposition Transcript
10.	May 30-31, 2008, Vice Enforcement Activity Log
11.	DPD Crime Rpt #0805310096.1
12.	Stephanie Hollander Deposition Transcript
13.	Ian Mobley Deposition Transcript
14.	James Washington Deposition Transcript
15.	Nathaniel Price Deposition Transcript
16.	Thomas Mahler Deposition Transcript
<b>17</b> .	Paul Kaiser Deposition Transcript
18.	Angie Wong Deposition Transcript
19.	Wanda Leverette Deposition Transcript

Exhibit No.	Exhibit Name
20.	Brandon Cole Deposition Transcript
21.	DPD Crime Rpt #0805310096.3
22.	Gregory McWhorter Deposition Transcript
23.	Anthony Potts Deposition Transcript
24.	Kathy Singleton Deposition Transcript
25.	Tyrone Gray Deposition Transcript
26.	Charles Turner Deposition Transcript
27.	Sheron Johnson Deposition Transcript
28.	Thomas Mahler misdemeanor ordinance violation ticket.
<b>29</b> .	DPD Crime Rpt #0805310096.2
30.	Wayne County Prosecutor Release of Vehicle form.
31.	Jerome Price Deposition Transcript

# EXHIBIT 1

## **Anticipatory Search Warrant**

State of Michigan SS

County of Wayne

To the Sheriff or any peace officer of said county:

Affiant, Sergeant Daniel Buglo, badge S-444, having subscribed and sworn to an affidavit for a search warrant, and I having under oath examined affiant, am satisfied that probable cause exists:

THEREFORE IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I command that you search the following described place, 5141 Rosa Parks Blvd. This location is on the southwest corner of Rosa Parks Blvd. and Bryant and described as a two story, red and gray brick, two story commercial building, commonly know as "Contemporary Art Institute of Detroit." The eastern portion of the building is red brick, and the western half is painted gray brick. This location is in the City of Detroit and the County of Wayne. The door utilized as the main point of entry into and out of the location is located on the north side of the building at the western most corner. There are black silhouettes of people painted on the north side of the building on the gray portion of the building. It is the only door on the north side of the building.. The front of the building (facing Rosa Parks blvd.) has two doors, both secured by black metal security accordion type gates. There is a dark gray awning spanning the length of the front of the building with the words "Contemporary Art Institute of Detroit" stenciled onto it. There is an approx. 6'5" red wood fence encasing the yard south of the building.

Further, to seize, secure, tabulate and make return according to the law the following property and things: All suspected controlled substances, all monies, contraband, books, and paraphernalia used in connection with illegal narcotic trafficking and gambling; alcoholic beverages of any type and the money and profits from same; any photographic, video and audio equipment, computers, hard drives, any data storage devices to store data, commonly used in association with the operation of a "Blind Pig." All firearms used in connection with the above described activities, all ownership occupancy, possession or control of the premises.

Affiant swears to the following facts in support of the issuance of this warrant:

Affiant

Assistant Prosecuting Attorney

Judge/Magistrate 36<sup>th</sup> Dist. Ct.

STATE OF MICHIGAN

**AFFIDAVIT** 

SS County of Wayne

The affiant is a sworn member of the Detroit Police Department, and has been so employed for nineteen years. Affiant is assigned to Vice Enforcement.

Affiant has participated in Narcotic and Vice related raids and along with members of Vice Enforcement, is currently conducting an investigation after receiving a complaint of unlicensed, after hours alcohol sales, and narcotic activity occurring at 5141 Rosa Parks Blvd, commonly known as "Contemporary Art Institute of Detroit."

Vice Enforcement has received complaints of unlicensed after hour alcohol consumption, and illegal narcotic activity occurring at 5141 Rosa Parks Blvd. with heavy activity on the last Friday night of each month and carrying over into the early morning hours of Saturday.

Affiant conducted a review/investigation of said location from March 29, 2008 to May 23, 2008, which revealed the following.

On Saturday, March 29, 2008, at 1:40AM, Vice enforcement conducted a surveillance operation, (moved and fixed) at 5141 Rosa Parks Blvd. in order to investigate a complaint of illegal "Blind Pig" activity that occurs the last Friday of each month. At location, Vice Enforcement officers observed several white males and females entering the location through the side (north) door. Affiant observed one w/m exit a vehicle and conceal what appeared to be a fifth of liquor in his left front pants pocket and proceed to the entrance of the location. Affiant observed a w/f outside of the entrance drinking from a beer bottle. Affiant and partner both smelled a strong odor of marijuana coming from an attached outside patio area where several persons were gathered. Affiant observed approx. 50-60 vehicles parked in front of, on the side of, and in the parking lot north of the location. During our surveillance, affiant and observed approx. 15-20 white males and females enter the location. Music was heard coming from inside the location.

On Saturday, April 26, 2008, at 1:00AM Vice Enforcement conducted an undercover operation at 5141 Rosa Parks Blvd. Lt. Vicki Yost and Sergeant Daniel Buglo, entered the location in order to investigate a complaint of illegal "Blind Pig" activity that occurs the last Friday of each month.

Affiant

Assistant Prosecuting Attorney

Judge Magistrate 36<sup>th</sup> Dist. Ct.

#### STATE OF MICHIGAN

**AFFIDAVIT** 

SS

County of Wayne

Both officers paid \$5.00 cover charge to a w/m 30-35, heavy set, bald, chin goatee, and paid \$3.00 each for a one month membership and were asked to fill out a membership card.

A w/m/20-25, sitting on a chair at a table near the entrance, entered our membership information into a lap top computer. We were then allowed to enter the location. Both officers approached the bar and observed beer on tap (Budweiser Select) and boxed wine for sale. Both officers purchased a cup of beer for \$3.00 each from a w/f/20-25, shoulder length blonde hair, tattoo on left wrist of Chinese letters. Affiant and partner then mingled with the crowd of approx. 100 people. A live band was playing and a DJ booth was active. Affiant and partner entered the outside fenced in vard, south of the building. Affiant observed several people with cans of beer, liquor bottles, and soda container. All were allowed to be brought in by patrons. Affiant and partner observed several people smoking what appeared to be marijuana (by sight and smell.) Affiant and partner sat at a picnic table and observed a w/m/19-22, named "Dan" take out a baggie of suspected marijuana and roll three marijuana cigarettes. cigarettes were lit and passed around the group sitting/standing around the picnic table. At approx. 0220 hours, affiant purchased another beer from the bar. Affiant and partner exited the location at approx. 0230 hours and observed approx. 10 people standing in line outside of the door, waiting to get in. Vehicles were pulling into the location's parking lot as affiant and partner drove off.

On May 24, 2008 at 2:05AM, Vice Enforcement conducted a surveillance operation (moved and fixed) at 5141 Rosa Parks Blvd. in order to investigate of illegal "Blind Pig" activity that occurs the last Friday of each month. At the location, affiant observed several white males and females entering the location through the side (north) door. Affiant observed approx. 60 vehicles parked on the north side of the location in the street and in the parking lot. Affiant could here voices coming from the fenced-in yard on the south side of the location. Affiant could smell a strong odor of marijuana coming from the fenced-in yard. Two canopies were also set up in the yard. Affiant could hear music coming from inside the location and observed at least three w/ms carrying cans of beer into the location. A w/m/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approx. 15 minutes.

Affiant

Assistant Prosecuting Attorney

5/24/08

Judge/Magistrate 36th Dist. Ct.

STATE OF MICHIGAN AFFIDAVIT

08001827

SS

County of Wayne

On May 29, 2008, affiant spoke with Ms. Tamara Williams of the Business License Department of Consumers Affairs who stated that the business located at 5141 Rosa Parks Blvd. has not been issued a City of Detroit Business License.

On May 29, 2008, affiant spoke with Police Officer Kenneth Hayes of the Detroit Police Department's Liquor License Unit and inquired into the status of 5141 Rosa Parks Blvd. Affiant was advised that this location has no license on file with the Liquor License Unit. Affiant confirmed this information with Ms. Jean Fickes of the Michigan Liquor Control Commission who stated that the Michigan Liquor Control Commission has not issued a license to 5141 Rosa Parks Blvd.

Wherefore, the affiant has probable cause to believe that the unlicensed facility located at 5141 Rosa Parks Blvd. is operating as an illegal operation, selling alcoholic beverages without a license, allowing the open use of narcotics, specifically but not limited to marijuana, and creates a public nuisance threatening the peace and good order of the neighborhood. This illegal activity has occurred and continues to occur unabated. The affiant also believes that an assortment of contraband will be found inside of the location, based upon affiant's police experience, training, observations made inside of the location, and previous experience in Vice related raids/activity conducted in the City of Detroit

Therefore, the affiant is requesting the granting of this search warrant to aid in the padlocking and abatement of the nuisance activity and the forfeiture of any of the equipment that is used to facilitate the illegal operation. Further based on training and experience, your Affiant knows that this illegal, unlicensed, afterhours business operates at least one (1) to (2) days per month, that being the last Friday of each month and occasionally an additional Friday, and based on previous surveillance and intelligence, this operation operates on Friday nights/Saturday mornings.

Affiant anticipates the above-referenced activity will be occurring during the early morning hours of May 31, 2008. Affiant will enter the location to do further investigation. Should Affiant observe the same type of activity as referenced above — loud music, marijuana use, illegal sales of alcohol—Affiant believe probable cause will exist to execute a search warrant.

Affiant

Assistant Prosecuting Attorney

5/29/08

PL 2013

Judge/Magistrate 36<sup>th</sup> Dist. Ct.

Should Affiant not observe this activity, this warrant will not be executed

STATE OF MICHIGAN

**AFFIDAVIT** 

SS

County of Wayne

Affiant

Assistant Prosecuting Attorney

Judge/Magistrate 36<sup>th</sup> Dist. Ct.

#### STATE OF MICHIGAN

#### SS

#### **RETURN TO SEARCH WARRANT**

#### **COUNTY OF WAYNE**

I hereby certify and return, that by virtue of the within SEARCH WARRANT to me directed, I have searched for the goods and chattels therein named, at the place therein described\*

(\*Strike either (1) or (2), whichever is inapplicable).

(1) And that I have such goods and chattels before the Court, described as follows:

#### 5141 ROSA PARKS WARRANT#08001827

\$168.00 U.S Currency from premises
\$60.00 U.S Currency from Brandon Walley
\$663.00 U.S Currency from Joseph Timlin
(1) Prostar laptop computer with black leather bag
(1) Technics Turn-table model SL1200
(1) Vestax Mixer Ospro (premises)
(1) Technics Turn-table model SL1200 (premises)
(3) 5 liter containers of Franzia Wine (premises)
(1) 30 pack case of Miller beer in cans (premises)
\$367.00 U.S Currency from (premises)
(1) Keg of Beer metal container (premise)

(2) And that I have been unable to find such goods and chattels.

Police Officer Raymond Smith #1619 D.P.D.

Municipal Police Officer /

Sheriff Deputy Sheriff

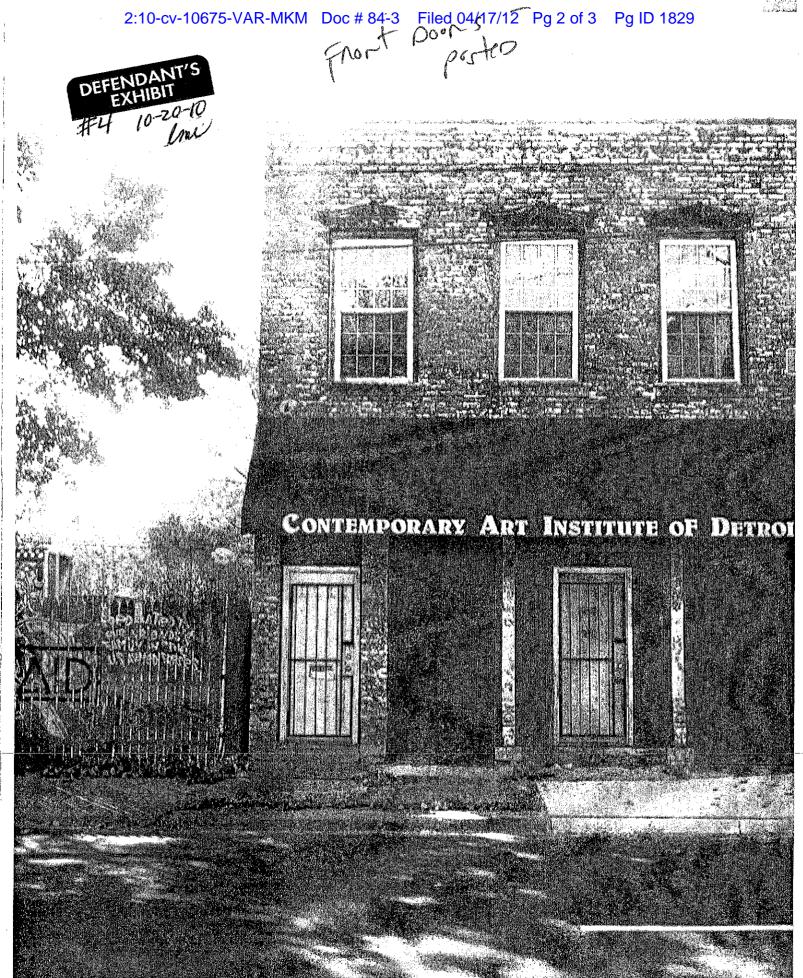
DATE AT: <u>2:20AM</u>

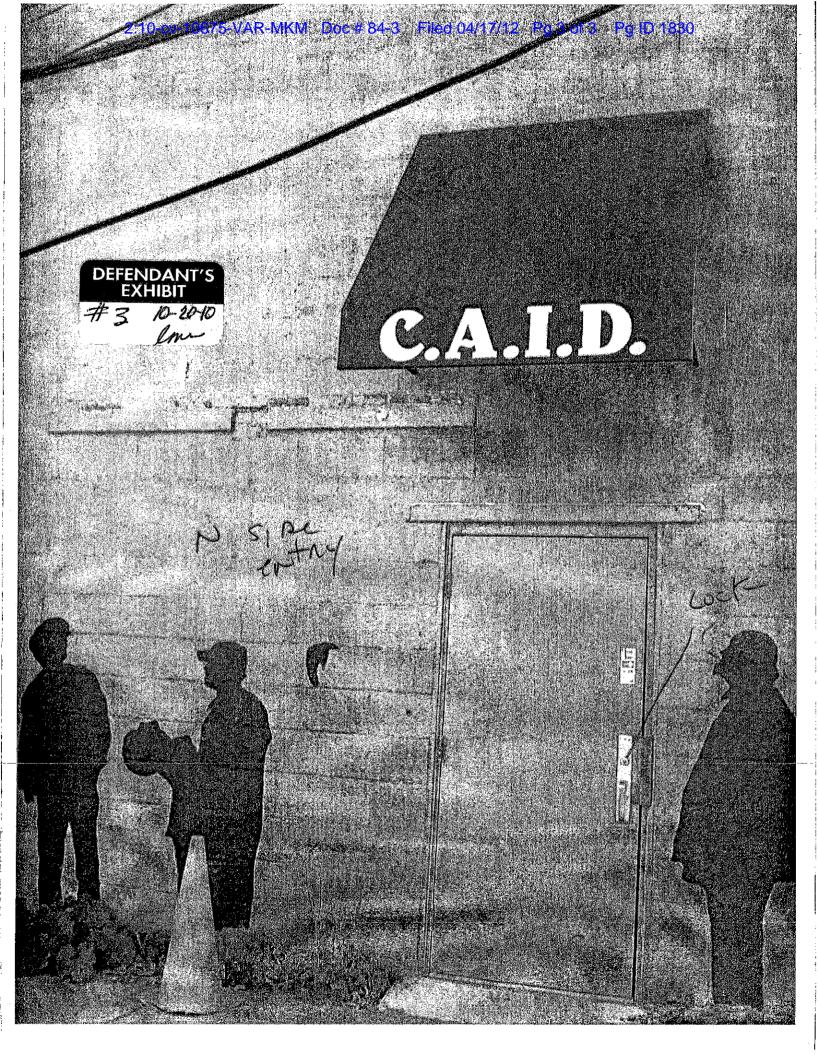
THIS 31st DAY OF May

A.D.\_\_

ADDRESS 5141 ROAS PARKS

# **EXHIBIT 2**





## EXHIBIT 3

## 2:10-cv-10675-VAR-MKM Doc # 84-4 Filed 04/17/12 Pg 2 of 39 Pg ID 1832

Vicki Yost 12/20/2011

		Page 1
. 1	IN THE DISTRICT COURT OF THE UNITED STATES	J
. 2	FOR THE EASTERN DISTRICT OF MICHIGAN	
3	SOUTHERN DIVISION	
4		
5	IAN MOBLEY, et al,	
6	Plaintiffs,	
7	vs. Civil Action	
8	No. 10-cy-10675	
9	HON. VICTORIA A. ROBERTS	
10	CITY OF DETROIT, et al, MAG. MONA K. MAJZOUB	
11	Defendants,	
12		
13	PAGES 1 TO 153	
.14		
15	The Deposition of INSP. VICKI L. YOST,	
16	Taken at 18th floor, 660 Woodward Avenue,	
17	Detroit, Michigan,	
18	Commencing at 10:39 a.m.,	
19	Tuesday, December 20, 2011,	
20	Defore Dale E. Rose, CSR-0087.	
21		
22		
23		
24		

.2

25

12/20/2011

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2	MD WILLIAM COOPING COOPING	2	Witness Page
3	MR. WILLIAM H. GOODMAN (P14173)	3	INSP. VICKI L. YOST
4 5	MS. KATHRYN BRUNER JAMES (P71374)	4	
6	Goodman & Hurwitz, P.C.	5	EXAMINATION BY MR. GOODMAN:6
7	Cooperating Attorneys, American Civil Liberties Union Fund of Michigan	6	EXAMINATION BY MS. GIAQUINTO: 151
8	1394 East Jefferson Avenue	7	RE-EXAMINATION BY MR. GOODMAN: 152
9	Detroit, Michigan 48207	8	D. T. T. C.
10	(313) 567-6170	9-	INDEX TO EXHIBITS
11	bgoodman@goodmanhurwitz.com	11	Exhibit Page
12	kjames@goodmanhurwitz.com	12	~ <del>45</del> 2
13	Appearing on behalf of the Plaintiffs	13	(Exhibits attached to transcript)
14	TP	14	NOTE: Exhibits listed in order presented.
15	MR. DANIEL S. KOROBKIN (P72842)	15	DEPOSITION EXHIBIT 1
16	American Civil Liberties Union Fund of Michigan	16	activity log, 3-28-0834
17	2966 Woodward Avenue	17	DEPOSITION EXHIBIT 2
18	Detroit, Michigan 48201	18	PCR dated 3-29-08 36
19	(313) 578-6824	19	DEPOSITION EXHIBIT 3
20	dkorobkin@aclumich.org	20	PCR dated 4-26-0845
21	Also appearing on behalf of the Plaintiffs.	21	DEPOSITION EXHIBIT 4
22		22	DPD CRISNET report dated 5-31-08 56
23		23	DEPOSITION EXHIBIT 5
24		24	DPD activity log, 5-30-0883
25		25	
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2	APPEARANCES (CONTINUED)  MS. LEE'AH D.B. GIAQUINTO (P60168)	1 2 3	INDEX TO EXHIBITS (CONTINUED)  DEPOSITION EXHIBIT 6
2 3	APPEARANCES (CONTINUED)  MS. LEE'AH D.B. GIAQUINTO (P60168) City of Detroit - Law Dept - Litigation Section	1 2 3 4	INDEX TO EXHIBITS (CONTINUED)  DEPOSITION EXHIBIT 6 part of standard operation procedures 106
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Vicki Yost 12/20/2011

3 (Pages 6 to 9)

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1	Detroit, Michigan	1	Q. Okay. Insp. Yost, what documents have you
2	Tuesday, December 20, 2011	2	
3	About 10:39 a.m.	3	
4	INSP. VICKI L. YOST,	4	
5	having first been duly sworn, was examined and	5	
6	testified on her oath as follows:	6	The state of the s
7	EXAMINATION	7	
8	BY MR. GOODMAN:	8	(
9	Q. For the record, your name is Inspector Vicki	9	
10	Yost, am I correct?	İ	Contract the second of the sec
1.1	A. Yes,	10 11	
12	Q. Insp. Yost, have you ever been deposed before?	12	-y
13	A. Yes.	í	· · · · · · · · · · · · · · · · · · ·
14	Q. How many times would you say?	13	,
15	A. Oh, good God, a handful.	14	* **
16	Q. Half a dozen perhaps?	15	,
17	A. Perhaps.	16	,,,,,,,
18	Q. My name is Bill Goodman, I represent the	17	, , , , , , , , , , , , , , , , , , ,
19		18	* * **
20	Plaintiffs in this action and I'm going to be	19	Q. So that if you want to contain information and
21	asking you some questions and as you know from	20	not spread it throughout the department you will
22	your other experiences having been deposed before	21	generate a PCR and if that's unimportant, it
23	I'll expect you to answer those questions.	22	doesn't matter, you'll generate a CRISNET?
24	If there's anything you can't hear or	23	Is that a fair characterization?
25	you don't understand or that requires repetition	24	A. That's not always the truth, no. There can be
23	or clarification, please let me know and I'll	25	more than one reason. You asserted one reason
	Page 7	7	Page 9
1	Page 7 attempt to repeat or clarify the question.	7   1	
1 2	attempt to repeat or clarify the question.  Do you understand that?		you might want to do PCR in lieu of a CRISNET,
	attempt to repeat or clarify the question.  Do you understand that?  A. Yes.	1	you might want to do PCR in lieu of a CRISNET, but there could be others as well.
2	attempt to repeat or clarify the question.  Do you understand that?  A. Yes.  Q. And as you are doing, it's important that you	1 2	you might want to do PCR in lieu of a CRISNET, but there could be others as well.  Q. Give me a few examples of those?
2 3	attempt to repeat or clarify the question.  Do you understand that?  A. Yes.  Q. And as you are doing, it's important that you	1 2 3	you might want to do PCR in lieu of a CRISNET, but there could be others as well.  Q. Give me a few examples of those?  A. Something that's confidential, something that's
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2 3 4 5 6	attempt to repeat or clarify the question.  Do you understand that?  A. Yes.  Q. And as you are doing, it's important that you answer verbally. Some people shake their heads,	1 2 3 4 5	you might want to do PCR in lieu of a CRISNET, but there could be others as well.  Q. Give me a few examples of those?  A. Something that's confidential, something that's preliminary in nature, something that may be sensitive to an Internal Affairs investigation, Narcotics investigation, a Vice investigation.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	attempt to repeat or clarify the question.  Do you understand that?  A. Yes.  Q. And as you are doing, it's important that you answer verbally. Some people shake their heads, some people will say "uh-huh" or "uh-uh" and that makes for an unclear record, and I may have to remind you from time to time. If I do, I apologize in advance, all right?  A. Yes.  Q. And you have two attorneys here today. If your attorney objects to any of my questions, please withhold your answer until the objection is stated on the record.  At that time most likely you will be expected and allowed by your attorney to answer the question, do you understand?  A. Yes.  Q. Finally, I will attempt not to interrupt your answers. If I do, I apologize and I will attempt to rectify or clarify that and I would ask that you wait until I complete my question before you	1 2 3 4 5 6 7 8 9 0 1 1 2 1 3 4 1 5 6 7 8 9 0 1 1 2 1 3 4 1 5 6 1 7 1 8 9 0 2 1 2 2 2 2 2 2	you might want to do PCR in lieu of a CRISNET, but there could be others as well.  Q. Give me a few examples of those?  A. Something that's confidential, something that's preliminary in nature, something that may be sensitive to an Internal Affairs investigation, Narcotics investigation, a Vice investigation.  So there's other avenues where you might opt to prepare a handwritten or — I'm sorry, not a handwritten, but a typed PCR instead of a CRISNET.  Q. Typed non-electronic?  A. Correct.  Q.—For purposes of this deposition-let's just—and to attain a certain amount of brevity here if we talk about the PCR we're talking about the non-electronic form.  If we talk about the CRISNET, we're talking about the electronic form, is that a fair way to proceed in your judgment?  A. That's fine.  Q. In this case I think you indicated there were two

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#### 4 (Pages 10 to 13)

	5		,
	Page 1	LO	Page 12
	26, is that correct?	) 3	
	A. I'm not sure of the specific dates.	2	
	3 Q. But	] 3	degree.
	4 A. One was in March and one in April.	4	8.00.
	<ol> <li>Q. And why were those PCRs as opposed to CRISNETs,</li> </ol>	, 5	A. University of Maryland.
6	if you can recall?	6	O What is that degrae? What were
7		7	William Was your major in
8	Q. And anyway you reviewed both of those PCRs before	8	
9	today's deposition, am I right about that?	9	of government and pointes. I'm not
10		10	on the degree.
11	Q. And anything else?	11	<ul><li>Q. When did you receive your undergraduate degree?</li><li>A. 1994 I believe.</li></ul>
12		12	
1.3	•	13	Q. And you have a master's degree also?
14		1	A. Yes.
15	Q. Also there was the Internal Affairs investigation	14	Q. From?
16	into this matter, am I right about that?	15	A. Eastern Michigan.
17	A. Not that I'm aware of.	16	Q. In what?
18	Q. Citizen's complaint I apologize, it was my	17	A. Liberal studies with an emphasis in police staff
19	terminology. There was a citizen's complaint	18	and command.
20	investigation. I think it was conducted by	19	Q. When did you receive that master's degree?
21	Internal Affairs.	20	A. I'm not sure, sometime in
22	•	21	Q. Within the last five years?
23	Do you know anything about it?  A. Not to my knowledge.	22	A. Probably not, no. It was within the last ten.
24		23	Q. Did you write a thesis or a dissertation to get
25	Q. Did you give a statement?  A. Not that I recall.	24	that degree?
~~~	A. Not that I recall,	25	A. I'm not sure.
	Page 11		Page 13
1	Q. Okay, we'll get back to it. I'll give you time	1,	•
2	to take a look at it and then we can talk about	1	Q. So when you came to the Detroit Police Department
3	it,	2	which would have been June 12, 1995 what training
4	MR. GOODMAN: All right, and for the	3	did you receive at that time?
. 5	record there is some outstanding discovery in	4	A. Assigned to the Detroit Metropolitan Police
6	this case which we anticipate there will be	5	Academy and went through training there.
7	further production of documents.	6	Q. How long was your training at the academy? How
8.	If any document is produced that	7	long a course of training as it?
9	requires further interrogation or questioning of	8	A. To the best of my recollection approximately
10	this witness. I would sake that the decisioning of	9	five months.
11	continued for the tout at the	10	Q. And what was your first assignment as a Detroit
12	DV MD COOD (1)	11	police officer?
13	O Inon Vort what in 1, out to	12	A. I was assigned to the 12th Precinct.
14	Q. Insp. Yost, what is your date of birth?	13	Q. You were promoted at some point from police
15	anforcement mainthean D	1-4	officer to sergeant, is that right?
16	enforcement privilege. Do not answer. BY MR. GOODMAN;	15	A. Yes.
17		16	Q. When was that?
18	Q. You're employed by the Detroit Police Department,	17	A. January of '99.
10 19	am I correct?	18	Q. At a police officer did you have occasion to work
	A. City of Detroit Police Department, yes.	19	with the Vice Enforcement Unit of the Detroit
20	Q. How long have you been so employed?	20	Police Department?
21	A. Since June 12, 1995.	21	A. I don't specifically recall having worked with
22	Q. Did you have any law enforcement background	22	them, no.
23	before that time?	23	Q. When you became a sergeant what was your
24	A. No.	24	assignment, first assignment?
25	O Whotle warm a few till 11 1		A. Tactical Mobile.
	i i		

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Page 1.8 Page 20 1 there -- was there an electronic file somewhere 1 kinds of data were noted or commented on? 2 where this data was maintained, if you can 2 A. What kind of data? 3 recall? 3 O. The ones that we've been asking about, arrests, A. I know that we gathered data from like cover 4 4 citations or vehicles? 5 sheets put on activity logs or something like 5 A. Not that I can recall, 6 6 Q. Now, in addition to being appraised yourself, 7 Q. Were there things known as tally sheets that you 7 your own performance being appraised, you 8 can recall? 8 appraised the performance of the officers and A. I don't recall the specific jargon. 9 9 supervisors who worked under your command, is 10 Q. In your performance appraisals were the numbers 10 that correct? 11 of either arrests, citations issued or vehicles 11 A. No. 12 that were towed, were those reported in your 12 Q. Who did? 13 performance evaluations? 1.3 A. The officers were appraised by their sergeant and 14 A. Not to my knowledge. 14 I appraised the sergeants. Q. When you say not to your knowledge, are you 15 15 Q. So you appraised the sergeants, is that correct? 16 saying that you read the performance appraisals 16 A. Yes. 17 and they did not report these kinds of statistics 17 Q. And during your years as the commanding officer 18 or that you have no knowledge that they were? 18 of Vice Enforcement how many sergeants -- such 19 19 A. I don't believe any of my performance appraisals sergeants were there? 20 have quoted statistics. 20 A. Sgt. Buglo and Sgt. Turner. 21 Q. Is there a general category of productivity in 21 Q. How many such evaluations of Buglo and Turner did 22 terms of the numbers of arrests, citations issued 22 you do? 23 or vehicles that were towed that's noted? 23 A. I don't specifically recall. 24 In other words, this unit has been very 24 Q. In those evaluations did you take into account 25 effective at making many arrests? 25 the productivity of those two sergeants or the Page 19 Page 21 1 A. Not as you specifically laid out in the 1 officers under their command or under their 2 supervisor's appraisals, no. 2 supervision in terms of numbers of arrests, 3 Q. How about in a more general sense, not perhaps 3 numbers of citations or numbers of vehicles 4 using my words because I don't have those towed? 4 5 appraisals in front of me, but in a general idea 5 A. Without reviewing the specific appraisals I can't of concept where it was reported or noted, if you 6 6 tell you. 7 can recall? 7 Q. Just one moment. Do you think you reviewed the A. You're going to have to repeat that. 8 8 performance of Sgt. Buglo more than one time? 9 Q. I'm sorry. I'm sure I do have to repeat that. 9 A. I would believe so, yes. 10 What I'm saying is, you indicated that 10 Q. Let me ask this, inspector. Is that something --11 those data were not noted or commented on as I 11 withdraw that. 12 specifically phrased it earlier, and I'm asking 12 As the commanding officer at Vice you was there any general view or evaluation of 1.3 13 Enforcement were you conscious of the numbers of 14 your performance or the performance of your unit 14 arrests, the numbers of citations and the numbers 15 that took into account the fact that there were 15 of vehicles which were being confiscated and 16 many arrests made, there were many citations 16 towed from month to month? 17 17 issued or there were many vehicles that were Was that something you were aware of? 1.8 towed? 128 MR. ASHFORD: Objection as to form. A. I think you'd have to ask the person who prepared 19 19 BY MR. GOODMAN: 20 the performance appraisal. 20 Q. I don't -- you may answer that question. 21 Q. And you don't know who that was, right? 21 MR. GOODMAN: Let's go off the record. 22 A. Off the top of my head, no. 22 (An off-the-record discussion was 23 Q. Those performance appraisals are written? 23 held.) 24 A. Yes. 24 BY MR. GOODMAN: 25 25 Can you recall one way or the other whether those Q. Back on the record. Do you remember the

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7 (Pages 22 to 25)

page 22  1 question? 2 A. No. 3 MR. GOODMAN: Would you read it back, please. 5 (Record repeated as requested). 6 A. Yes, I was aware of the productivity of my unit, yes. 8 Q. And you would agree that those data, that is a marker, claitons, and vehicles confiscated and towed are a part of productivity, would you not? 1 A. If a part, yes. 12 Q. Want else goes into productivity, would you not? 13 judgment? 14 A. We have citizen complaints that can be answered in other forms or fashious thet don't result in a tangent of mother forms or fashious that don't result in a tangent outcome this a factor or a surrest or something like that, but it resolves the considered. 15 a complaints that are resolved without three skinds of formal actions by your department or by your unit? 16 A. Yes, I was aware of the productivity, would you not? 17 A. It would be an outcome also that, like I said, isn't necessarily tangble, but also would be considered. 20 Q. Do you keep track of the number of such considered. 21 Q. Do you keep track of the number of such considered. 22 Q. Do you keep track of the number of such considered. 23 Considered. 24 A. I believe we did. 25 Q. And how are they characterized, those kind of consplaints that are resolved without three skinds of complaints that are resolved without three should be received and the nearest word through the MLCC, dey could have been generated through the MLCC, dey could have been generated through the MLC, dey could have been generated through the MLC, dey could have been generated through the MLC, dey could be an outcome was. 4 A. It would depend how the complaint was resolved. 5 A. It would depend how the complaint was resolved. 6 Q. And how are they characterized, those kind of county in the county of the same characterized through the person what the county of the mounty was paid? 5 A. There's a main several different f		· ( <u>)</u> • •		66 267
2 A. No.  MR. GOODMAN: Would you read it back, please.  (Record repeated as requested).  A. Res. J was aware of the productivity of my unit, yes.  O. And you would agree that those data, that is arrests, citations, and vehicles confiscated and towed are a part of productivity, would you no?  A. It's a part, yes.  O. What clese goes into productivity in your juggment?  A. We have citizen complaints that can be answered in other forms or fashions that don't result in a tangible outcome like a ticket or an arrest or something like that, but it resolves the community concern that's bear raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  O. Q. Do you ever receive complaints from that particular entity?  A. No, the MLCC sends it to Liquer License who forward it to us generally speaking.  Withdraw that question, that's okay.  Were you aware, let's say, in May of 14 community concern that's bear raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  O. Q. Do you ever them from the Michigan Liquor Control Commission.  Withdraw that question, that's okay.  Were you aware, let's say, in May of 14 community concern that's bear raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  O. Q. Do you keep track of the number of such complaints that are resolved without those kinds of formal actions by your department or by your unit?  Page 23  A. I believe we diid.  O. And how are they characterized, those kinds of complaints?  A. It would deerned how the complaint was received.  O. Q. And how are they characterized, those kinds of complaints?  A. It would generate in several different forms. It could have been generated through the MLCC, they could have protego sould have been generated through the MLCC, they control was a served the vehicle back?  O. Wree you aware of the fact that some of that move the telephone?  A. It would generate		Page 22	2	Page 24
2 A. No.  MR. GOODMAN: Would you read it back, please.  (Record repeated as requested).  A. Res. J was aware of the productivity of my unit, yes.  O. And you would agree that those data, that is arrests, citations, and vehicles confiscated and towed are a part of productivity, would you no?  A. It's a part, yes.  O. What clese goes into productivity in your juggment?  A. We have citizen complaints that can be answered in other forms or fashions that don't result in a tangible outcome like a ticket or an arrest or something like that, but it resolves the community concern that's bear raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  O. Q. Do you ever receive complaints from that particular entity?  A. No, the MLCC sends it to Liquer License who forward it to us generally speaking.  Withdraw that question, that's okay.  Were you aware, let's say, in May of 14 community concern that's bear raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  O. Q. Do you ever them from the Michigan Liquor Control Commission.  Withdraw that question, that's okay.  Were you aware, let's say, in May of 14 community concern that's bear raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  O. Q. Do you keep track of the number of such complaints that are resolved without those kinds of formal actions by your department or by your unit?  Page 23  A. I believe we diid.  O. And how are they characterized, those kinds of complaints?  A. It would deerned how the complaint was received.  O. Q. And how are they characterized, those kinds of complaints?  A. It would generate in several different forms. It could have been generated through the MLCC, they could have protego sould have been generated through the MLCC, they control was a served the vehicle back?  O. Wree you aware of the fact that some of that move the telephone?  A. It would generate	1	question?	1	A Ves it is
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A. Yes, I was aware of the productivity of my unit, yes.  Q. And you would agree that those data, that is a arrests, citations, and vehicles confiscated and towed are a part of productivity, would you not?  A. It's a part, yes.  Q. What else goes into productivity in your judgment?  A. We have citizen complaints that can be answered in the forms or fashions that don't result in a tangible outcome like a ticket or an arrest or something like that, but it resolves the community concern that's been raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  Q. Do you keep track of the number of such complaints that are resolved without those kinds of formal actions by your department or by your unit?  A. I believe we did.  Q. And how are they characterized, those kind of complaints that are resolved without those kinds of over the telephone?  A. It would depend how the complaint was received.  A. It would depend how the complaint was received.  A. It would depend how the complaint was received.  A. It could generate in several different forms. It that doesn't involve meant process a complaint comes in over the telephone?  A. Control Commission which is a state agency?  A. No, the MLCC cends it to Liquor License that routed to us generally speaking.  Q. So they operate through the same channel, is that correct?  A. I'm not sure what you mean.  Q. Withdraw that question, that's okay.  Were you aware, let's say, in May of 2008 that when a vehicle was towed and ontinses which the vestice is too the person whose vehicle was being towed would have to retrieve it and in doing so would have to pay some money in order to go a bead.  BY MR. GOODMAN:  Q. Go abead.  A. I believe we did.  Q. And how are they characterized, those kind of complaints?  A. It could generate in several different forms. It could a several different f	5		1	
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8 Q. And you would agree that those data, that is a gart, yes. 9 arrests, citations, and vehicles confiscated and towed are a part of productivity, would you not? 11 A. It's a part, yes. 12 Q. Wat else goes into productivity in your judgment? 13 in other forms or fashions that don't result in a tangible outcome like a ticket or an arrest or something like that, but it resolves the community concern that's been raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered. 14 Q. Do you keep track of the number of such considered. 15 Q. Give me an example? Suppose a complaint comes in over the tedephone? 16 A. I believe we did. 17 A. I believe we did. 18 Q. Give me an example? Suppose a complaint comes in over the tedephone? 18 Q. Give me an example? Suppose a complaint comes in over the tedephone? 19 could have been generated through the MLCC, they could have routed something to Liquor License that routed to us and there may be a resolution that doesn't involve enforcement action, but the complaint was resolved. 19 Q. Resolved by way of investigation? 20 Resolved by way of investigation? 21 A. Cornect. 22 Q. Do y way see part of the fact that some of that the outcome was. 23 Complaints that are resolved depending upon what the outcome was. 24 A. There's a must always the expending the productivity of your unit? 25 Complaint swall are resolved depending upon what the outcome was. 26 Cornect. 27 A. Record M. R. A. I believe it would have been contained in an annual report, yes.	7			A. No the MLCC sends it to Liquor License who
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1.4 A. We have citizen complaints that can be answered in other forms or fashions that don't result in a tangible outcome like a ticket or an arrest or something like that, but it resolves the community concern that's been raised, so that would be an outcome also that, like I said, isn't necessarily tangible, but also would be considered.  2.0 Q. Do you keep track of the number of such complaints that are resolved without those kinds of formal actions by your department or by your unit?  Page 23  A. I believe we did.  Q. And how are they characterized, those kind of complaints?  A. It would depend how the complaint was received. Q. Go where an example? Suppose a complaint comes in over the telephone?  A. It could generate in several different forms. It could have been generated through the MLCC, they could have been generated through the MLCC, they could have routed something like that, but it resolves the complaint was resolved.  A complaints?  A complaints?  A complaint could have been received via anonymous phone call. Those complaints would be another may be a resolution the complaint twas resolved.  A complaint could have been received via anonymous phone call. Those complaints would be received and then resolved depending upon what the complaint towal the complaint was received.  A correct.  A correct.  A Michigan Liquor Control Commission.  C Resolved by way of investigation?  A Michigan Liquor Control Commission.  C There's also a licensing unit within the Detroit Pothonal?  A Liquor License.  A Liquor License, I the first that some of the fines and costs that were paid by the vehicle owner were returned to the City. By MR. GOODMAN:  C Were you aware of the fact that some of the money came back to the City of Detroit?  A complaint could have been received with a fact that some of the fines and costs that were paid by the vehicle owner were returned to the City. By MR. GODMAN:  C Were you aware of the fact that some of the fines and costs that were paid by the vehicle owner were returned to the City. By	13		- 1	
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tangible outcome like at ticket or an arrest or something like that, but it resolves the something like that, but it resolves that a something like that, but it resolves that the considered.  1.6 doing so would have to pay some money in order to get the vehicle back?  1.7 doing an aswer.  1.8 MS. GIAQUINTO: Objection, foundation.  2.0 Co abead.  2.1 A. There's a nuisance abatement seizure process I was aware of, yes.  2.2 Which involved the payment of money by the  2.3 Page 2.3  2.4 A. I believe we did.  2.5 A. I would depend how the complaint was received.  3. A. I would depend how the complaint comes in over the telephone?  4. A. It would depend how the complaint comes in over the telephone?  5. A. I could generate in several different forms. It could have been generated through the MLCC, they could have routed something to Liquor License that doesn't involve enforcement action, but the complaint was resolved.  2. A. Thoutes to us and there may be a resolution that doesn't involve enforcement action, but the complaint was resolved.  2. A. Correct.  2. Po you have any idea what percentage of the fines and costs that were paid by the vehicle owner were returned to the City of Detroit?  2. MR. A. In regards to a percentage, no. I'm aware that there is some returned to the City.  3. M. In regards to a percentage, no. I'm aware that there is some returned to the City.  4. M. Michigan Liquor Control Commission.  4. A. Michigan Liquor Control Commission.  5. Correct.  5. Q. And the MLCC, so we have a clear record, stands for what?  6. Correct.  6. Q. And the MLCC, so we have a clear record, stands for what?  6. Correct.  6. Q. And the MLCC, so we have a clear record, stands for what?  6. Q. Roo	15	in other forms or fashions that don't result in a	1	
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19 Q. And the MLCC, so we have a clear record, stands 20 for what? 21 A. Michigan Liquor Control Commission. 22 Q. There's also a licensing unit within the Detroit 23 Police Department, is there not? 24 A. Liquor License. 25 A. Integards to a percentage, no. This aware that 26 there is some returned to the City. 27 BY MR. GOODMAN: 28 Q. Were you aware of the amount of money that was 29 produced annually as a result of that? 20 A. I believe it would have been contained in an 20 annual report, yes.		. ~	ţ.	
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Q. There's also a licensing unit within the Detroit Police Department, is there not?  A. Liquor License.  Police Department, is there not?  Police Department, is there not?  A. Liquor License.  Police Department, is there not?  A. Liquor License.  Produced annually as a result of that?  A. I believe it would have been contained in an annual report, yes.		1 34111 71 6 46 4		
Police Department, is there not?  23 A. I believe it would have been contained in an  24 A. Liquor License.  23 annual report, yes.				
24 A. Liquor License. 24 annual report, yes.				
- 0 71 H X - 1				
25 Q. The annual report of?				
	25			

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8 (Pages 26 to 29)

	0 (Lages	20	CO 23)
	Page 20	5	Page 28
1	A. Vice Enforcement or Liquor License, one or the	1	A. No, I did not.
2	other.	2	Q. When you assumed the responsibilities and became
3	Q. Well, during the year 2008, for example, do you	3	the commanding officer at Vice Enforcement what
4	remember how much money was generated as a result	4	did you understand the mission of Vice
5	of these actions?	5	Enforcement to be?
6	A. No, I do not.	6	Can you please describe it?
7	Q. Now, in addition to the vehicles being towed	7	A. The mission was to address the prostitution,
8	you're aware that when a citizen receives a	8	gambling and liquor-related violations within the
9	citation or when someone receives a citation as a	9	city.
10	result of the actions of your unit sometimes	10	Q. Prostitution, gambling and liquor related, is
11	monies are paid as a result of fines that are	11	that right?
12	imposed, are you not?	12	A. Yes.
13	MR. ASHFORD: Objection to the form,	13	Q. And by liquor related, you mean what?
14	foundation.	14	<ul> <li>A. Violations at licensed liquor establishments,</li> </ul>
15	MS. GIAQUINTO: You can answer.	15	instances of violence at licensed liquor
16	A. Can you repeat that?	1.6	establishments would also be considered a
17	BY MR. GOODMAN:	17	violation.
18 19	Q. When someone is given a ticket they often have to	18	Your non-licenced locations.
20	pay some money in order to — as a fine in order to resolve that, isn't that right?	19	Q. Anything else that you can think of right now?
21		20	A. Like minor sales, sales to people under 21.
22	MR. ASHFORD: Objection to the form.  A. They may via the court proceeding have to pay a	21	Again, that goes back to a liquor violation.
23	fine, yes.	22	Q. Well, that's a lot, right. I understand there
24	BY MR. GOODMAN:	23 24	may be some other a few other things that you
25	Q. Do you know how much money was generated as a	25	can't think of, but those are the principal
		2.5	activities of your unit at that time, is that a
	Page 27		Page 29
1	result of the fines that were paid for the	1	fair statement, with regard to liquor violations?
2	citations that were issued by your unit when you	2	A. I don't think that was the totality of it, but
3	were in Vice Enforcement?	3	that's the first thing that comes to mind.
4	A. No, I do not.	4	Q. As you know, this particular case involves a raid
5	Q. Was that number reported anywhere?	5	that occurred on May 31, 2008, is that correct?
6	A. To the best of my recollection I don't believe	6	A. Correct.
7	that number is captured.	7	Q. You remember the raid?
8	Q. When you became the commanding officer of Vice	8	A. Somewhat, yes.
9	Enforcement did you receive any specific training	9	Q. You were present?
10	in order to assume those responsibilities?	10	A. Yes.
11 12	A. Not that I recall.	11	Q. We're going to go into some of that in a while,
13	Q. Did you talk with your predecessor? Were you	12	but what percentage of the activities of the Vice
14	briefed by your predecessor how she had run this particular unit?	13	Enforcement Unit involved raids on liquor
15	A. Yes.	14	establishments or liquor-related raids back in
16	Q. How long was that briefing if you can recall?	15	the spring of 2008?
17	A. I don't recall.	16 17	MR. ASHFORD: Objection to form.
18		ſ	MS. GIAQUINTO: You can answer.
	U. Du she write a report on evit memo or continue	18	A. I'd have to review the reports to tell you what
	199	10	nandantana man inggalaga J
19	like that when she left that unit?	19	percentage was involved.
19 20	like that when she left that unit?  A. I don't recall.	20	BY MR. GOODMAN:
19	like that when she left that unit?  A. I don't recall.  Q. Did you when you left the unit?	20 21	BY MR. GOODMAN: Q. Are you able to give me a general range, that is
19 20 21	like that when she left that unit?  A. I don't recall.  Q. Did you when you left the unit?  A. There's no one currently in my position.	20 21 22	BY MR. GOODMAN: Q. Are you able to give me a general range, that is 30 to 40 percent or something like that for that
19 20 21 22	like that when she left that unit?  A. I don't recall.  Q. Did you when you left the unit?  A. There's no one currently in my position.  Q. I understand, but sometimes you can leave a	20 21 22 23	BY MR. GOODMAN:  Q. Are you able to give me a general range, that is 30 to 40 percent or something like that for that period of time or do you still have to review it
19 20 21 22 23	like that when she left that unit?  A. I don't recall.  Q. Did you when you left the unit?  A. There's no one currently in my position.  Q. I understand, but sometimes you can leave a position, do an exit memo even though you don't	20 21 22	BY MR. GOODMAN: Q. Are you able to give me a general range, that is 30 to 40 percent or something like that for that

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9 (Pages 30 to 33)

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	Page 3	0	Page 32
. 1	Q. Would you say that a substantial amount of the	1	location after hours.
2	resources and time of the Vice Enforcement Unit	2	So subsequent to that an undercover
3	went into those kinds of operations?	3	operation was performed where myself and Sgt.
4	A. No, I would not.	4	Buglo entered the location in April.
5	Q. A small amount?	5	
6	A. Again, I would not like to speculate.		Q. So March was that a part of the undercover
7	MS. GIAQUINTO: She says she doesn't	6	operation, the observations that you made?
8	want to speculate on that.	7	A. You're still undercover because you're not
9		8	sitting there in a police car in full uniform,
10	MR. GOODMAN: She's already answered.	9	but in terms of actually engaging, it's more of
11	MS. GIAQUINTO: Well, I'm just enforcing her answer.	1.0	an observational undercover.
12		11	Q. Observational undercover and then the April
13	MR. GOODMAN: You're enforcing the	12	version of the undercover operation was what
14	answer.	13	might be called proactive, went into the
15	MR. ASHFORD: I join the objection,	14	establishment itself, is that right?
16	asked and answered.	15	A. I don't know about proactive, but we went into
	BY MR. GOODMAN:	16	the establishment to determine if there were
17	Q. Can you describe the process of how a decision	17	violations of the law occurring inside.
1.8	was made as to whether a raid would be conducted	18	Q. And you did that, is that correct? You made that
19	on an establishment or not, a liquor-related	19	determination, is that right?
20	raid?	20	A. We went in and we made the determination that
21	MS. GIAQUINTO: Objection, foundation.	21	there were illegal activities inside, yes.
22	You can answer.	22	Q. Were there any further undercover operations
23	A. Basically through the investigation process we	23	after the April operation?
24	would determine if probable cause exists. If it	24	A. Not that I recall, no.
25	did, we would get an anticipatory search warrant	25	Q. Before the raid on May 31, 2008 did you have any
	Page 31		
1			Page 33
1	or a search warrant from the judge based on	1	Page 33 did you participate in an undercover operation
	or a search warrant from the judge based on observations of the UC officers, and after the	1 2	Page 33 did you participate in an undercover operation immediately before?
2	or a search warrant from the judge based on observations of the UC officers, and after the requirements of the said search warrant were met,	1 2 3	Page 33  did you participate in an undercover operation immediately before?  A. I'm not sure I understand.
2 3_	or a search warrant from the judge based on observations of the UC officers, and after the requirements of the said search warrant were met, the raid would be executed.	1 2 3 4	Page 33  - did you participate in an undercover operation immediately before?  A. I'm not sure I understand.  MR. ASHFORD: Can you read the
2 3- 4 5	or a search warrant from the judge based on observations of the UC officers, and after the requirements of the said search warrant were met, the raid would be executed.  BY MR. GOODMAN:	1 2 3 4 5	Page 33  did you participate in an undercover operation immediately before?  A. I'm not sure I understand.  MR. ASHFORD: Can you read the  MR. GOODMAN: I'll rephrase it.
2 3_ 4	or a search warrant from the judge based on observations of the UC officers, and after the requirements of the said search warrant were met, the raid would be executed.  BY MR. GOODMAN:  Q. And the investigative process consisted of what?	1 2 3 4 5	Page 33  did you participate in an undercover operation immediately before?  A. I'm not sure I understand.  MR. ASHFORD: Can you read the  MR. GOODMAN: I'll rephrase it.  BY MR. GOODMAN:
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2 3- 4 5 6 7 8 9 10 11 12 13 14	or a search warrant from the judge based on observations of the UC officers, and after the — requirements of the said search warrant were met, the raid would be executed.  BY MR. GOODMAN:  Q. And the investigative process consisted of what?  A. It would vary. I mean —  Q. Well, give me some examples as to what kind of things —  A. Some examples could be observations, undercover work, could be even using a third party confidential informant, it varies.  Q. When you say undercover work can you describe the undercover operation which could lead to a raid?  A. Can we talk about a specific raid as opposed to just in general?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	- did you participate in an undercover operation immediately before?  A. I'm not sure I understand.  MR. ASHFORD: Can you read the  MR. GOODMAN: I'll rephrase it.  BY MR. GOODMAN:  Q. Weren't you yourself dressed in plainclothes on that particular night?  MS. GIAQUINTO: Which night?  BY MR. GOODMAN:  Q. May 31, 2008?  A. Now I understand the question. Yes, I was.  Q. So you engaged in an undercover operation before the raid itself occurred on that very night, is— that a fair statement?  A. Yes.
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12/20/2011

#### 10 (Pages 34 to 37)

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	Page 34		Page 36
1	Q. There was a requirement of two observations, is	1	you see that?
2	that right?	2	A. Yes.
3	A. Yes.	3	Q. So did that shift on that particular occasion go
4	Q. So in this case the two observations would be one	4	over onto March 29 as well?
5	in April and the last one in May?	5	A. According to the activity log it did.
6	A. One in March and then the one in April would have	6	Q. Is there anything in this particular activity log
7	been the two observations that would have been	7	that notes your observations that you referred to
8	the basis and the foundation for the search	8	earlier of activity at 5141 Rosa Parks Boulevard?
9	warrant.	9	
10		10	A. No, but I don't recall the specific date either.
11	but before the raid itself was it necessary for	1	I said it was in March.
12	· · · · · · · · · · · · · · · · · · ·	11	DEPOSITION EXHIBIT 2
13		12	PCR dated 3-29-08
14		13	WAS MARKED BY THE REPORTER
	_ · · · · · · · · · · · · · · · · · · ·	14	FOR IDENTIFICATION.
15		15	Q. Can you identify Exhibit 2, please?
16	- · · · · · · · · · · · · · · · · · · ·	16	A. It's a PCR prepared by Sgt. Buglo.
17		17	Q. And did you ask Sgt. Buglo to prepare this PCR?
18		18	A. I don't recall.
19		19	Q. Have you seen this PCR before?
20		20	A. Yes, I have.
21		21	Q. When did you last see it?
22		22	A. I reviewed it briefly prior to this deposition.
23		23	Q. And does this refresh your recollection as to
24	A. Yes.	24	what occurred on that particular early morning or
25	DEPOSITION EXHIBIT 1	25	late evening?
	Page 35		Page 37
7	Page 35	٦	Page 37
1 2	activity log, 3-28-08	1	A. Yes.
2	activity log, 3-28-08 WAS MARKED BY THE REPORTER	2	A. Yes. Q. Is there anything that's recorded in this PCR
2 3	activity log, 3-28-08 WAS MARKED BY THE REPORTER FOR IDENTIFICATION.	2 3	<ul><li>A. Yes.</li><li>Q. Is there anything that's recorded in this PCR that you do not recall as having happened on that</li></ul>
2 3 <b>4</b>	activity log, 3-28-08  WAS MARKED BY THE REPORTER  FOR IDENTIFICATION.  Q. Inspector, can you identify this exhibit?	2 3 4	<ul><li>A. Yes.</li><li>Q. Is there anything that's recorded in this PCR that you do not recall as having happened on that particular night?</li></ul>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	activity log, 3-28-08 WAS MARKED BY THE REPORTER FOR IDENTIFICATION.  Q. Inspector, can you identify this exhibit? A. It appears to be an activity log. Q. Whose activity log is it? A. It appears to be for the Vice crew or certain members of the Vice crew. Q. Including yourself? A. Yes. Q. So was this your activity log for that particular date? A. I did not sign it. Q. Did you have another activity log for that date? A. I don't know. Q. Who did sign that particular activity log? A. It appears Officer McClendon, Officer Johnson and Sgt. Buglo. Q. What date would this be? A. March 28, '08. Q. What shift was it? A. Afternoons. Q. So that shift started at what time, 3? A. 2:45 PM.	2 3 4 5 6 7 8 9 10 111 112 113 114 115 116 117 118 119 120 121 122 122 122 123	<ul> <li>A. Yes.</li> <li>Q. Is there anything that's recorded in this PCR that you do not recall as having happened on that particular night?</li> <li>A. I'm sorry, I don't understand.</li> <li>Q. In other words, does Sgt. Buglo report anything in this PCR that you do not remember as you sit here having happened?  MS. GIAQUINTO: Objection, foundation. You can answer.</li> <li>A. Anything in here that I don't agree with?</li> <li>BY MR. GOODMAN:</li> <li>Q. Anything that you yeah, anything that he says that you don't remember, that's all?</li> <li>A. No, I remember this activity.</li> <li>Q. Is there anything that you remember that's not reported in there?</li> <li>A. No.</li> <li>Q. Now, you indicated that you saw somebody bring liquor into the establishment, is that correct?</li> <li>A. Correct.</li> <li>Q. What is it that you specifically recall having</li> </ul>

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#### 11 (Pages 38 to 41)

	11 (1 ag c)		J CO 41)
	Page 3	8	Page 40
1	Q. Do you remember the question?	1	same side of the street as the building?
2	<del>_</del>	2	A. I'm sorry, what?
3	Q. My question is, can you give me a specific	3	Q. Was your vehicle across the street from this
4		4	building or were you on the same side, if you can
5		5	recall?
6		6	A. I believe we were across the street.
7		7	Q. You pulled up across the street and stopped the
8		8	car, is that correct?
9		9	A. I'm sure we stopped the car, but
10		1.0	Q. Who was driving?
11		11	A. I believe Sgt. Buglo was, but
12		12	Q. Turn the ignition off?
13	A. It was just information, there was no conclusions	13	A. I don't recall,
14	based on that one fact alone.	14	
15	Q. Did that suggest there was illegal activity going	15	Q. How long were you there?  A. I don't recall.
16	on in the establishment that he was entering?	16	
17	A. It gave rise to further investigation.	17	Q. And you were both in plainclothes, is that
18	Q. Did it suggest to you that possibly the people	18	correct?
19	inside the establishment were not permitting open	19	A. To the best of my recollection, yes.
20	alcohol to be brought in and out of the	20	Q. Do you remember how you were dressed?
21	establishment?	1	A. No.
22	A. That on its face did not suggest anything. As I	21	Q. Did you have a cap on?
23	said, it led to further investigation or by	22	A. I don't know.
24	itself did not.	23	Q. So you smelled marijuana, you saw somebody bring
25	Q. Do you remember how cold or how warm it was that	24	what looked appeared to be a bottle that might
	2. 2 s you terredice now cold of now warm it was trial	25	contain alcohol into the establishment after
	Page 39		Page 41
1	particular night?	1	having concealed it.
2	A. No, I do not.	2	Anything else of note that you can
3	Q. Do you remember whether your windows were up or	3	recall at this time?
4	down?	4	A. Just the amount of cars and amount of people
5	A. I imagine they were down because we could hear.	5	entering the location.
6	Q. What could you hear?	6	Q. How many cars and how many people?
7	A. Music, people outside.	7	A. I don't know, there was at least 10 to 20 that
8	Q. Talking?	8	entered while we were there. There were numerous
9	A. That's fair.	9	cars. I wouldn't dispute Sgt. Buglo's assertion.
10	Q. Could you hear any of the conversations?	10	I don't know if he put the number in here, but
11	A. Not specifically that I recall, no.	11	there was a lot of cars.
12	Q. Was there any yelling going on?	12	50 to 60 is what Sgt. Buglo's PCR says,
13	A. I don't recall.	13	I wouldn't dispute that.
14	Q. Screaming?	14	Q. Why-did-you-happen-to-stop-by-this-place in-the
15	A. Not that I recall.	15	first place?
16	Q. Did you smell anything?	16	A. We had a complaint.
17	1 3 6 11 11 11 11 11 11 11 11 11 11 11 11 1	17	Q. Can you say who the complaint was from?
18	marijuana, yes.	18	A. I don't recall.
19	ONE D Dini	19	Q. Did you log the complaint or note it anywhere?
20	A NYouth Assett	20	A. I don't recall.
21	O 37 d 7 d 7 d	21	Q. Who did the complaint come from?
22		22	A. I don't recall.
23	110	23	Q. A neighbor or another law enforcement officer or
24	A That! Book	24	do you know?
25	0 777	25	A. I don't recall.

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#### 12 (Pages 42 to 45)

	Iz (rage	D TZ	i L	) <del>(</del> (3)
	Page 4	2		Page 44
1	Q. How do you know that you were responding to a	1	A	Sgt. Turner was involved in that, yes.
2	complaint? What's the basis for your for that	2	0	Who else in your unit was involved, if you can
3	statement?	3	ν.	recall?
4	A. General recollection of how we came to look at	4	Δ	I know there were other people associated with
5	that location.	5	2 1.	it. I believe Officer Johnson, Officer Gray,
6	Q. Was it one complaint or more than one complaint?			Officer Williams, Officer Passmore, I believe
7	A. I don't know.	7		Officer Smith as well.
8	Q. Sgt. Buglo also reports seeing a white female	8	Ω	
9	outside the entrance drinking from a beer bottle.	9	Q.	Was Officer Williams one of the officers working under your command?
10	Do you recall observing that as well?	10	Δ	At the time of the Internal Affairs report?
11	A. I do not specifically recall that.	11		Yes,
12	Q. Is there a reason why the activity that's	12		I believe so, yes.
13	recorded in the PCR which is Exhibit 2 is not	13		What's his first name?
14	noted on Exhibit 1 which was the activity log?	14		Her first name is Paytra.
15	A. Not that I'm aware of, but again, I didn't sign	15		
16	the activity log.	16	Q.	And after you filed that information with
17	Q. The activity log was checked by Sgt. Turner?	17		Internal Affairs what was the result, do you know?
18	A. That appears to be his signature.	18		
19	Q. And Sgt. Turner was what was the chain of	19		The officers were suspended as well as the
20	command within that particular unit? Was he	20		sergeant.
21	directly under you?	21		For how long?
22	A. Both him and Sgt. Buglo were directly under me,	22		I'm not sure. I don't think the sergeant ever
23	yes.	23		returned to duty no, actually he did,
24	Q. It's my understanding that at some time at	24		disregard that, he did. I'm not sure how long they were suspended.
25	some point in time Sgt. Turner was suspended from	25		
	P Agri Tamer was suspended from	2.5	ν.	Now, going back to your investigation of 5141
	Page 43	·		Page 45
1	the Detroit Police Department.	1		Rosa Parks after you made these initial
2	Do you recall that?	2		observations that were recorded in the
3	A. Yes.	3		preliminary complaint report you decided that
4	Q. Were you the commander of the commanding	4		additional investigation was warranted, is that
5	officer of that unit when he was suspended?	5		correct?
6	A. Yes.	6	A.	Yes.
7	Q. Was his suspension as a result of any action that	7	Q.	And as a result of that what actions were taken?
8	you took, disciplinary action that you took?	8	À.	We had a subsequent UC operation in April.
9	A. It was a result of information that I reported.	9	Q.	"UC" stands for undercover?
10	Q. That you reported?	10	~	Undercover.
11	A. Yes.	11		(A recess was taken)
12	MS. GIAQUINTO: Objection, relevance.	12		DEPOSITION EXHIBIT 3
13	Can I have a continuing objection to this line of	13		PCR dated 4-26-08
14_	questioning?	14—		
15	MR. GOODMAN: You may.	15		FOR IDENTIFICATION.
16	MS. GIAQUINTO: Thank you.	16	Q.	Have you had to chance to review Exhibit 3?
17	BY MR. GOODMAN:	17		I don't believe it was sitting here when I
18	Q. Can you tell us what the information was that you	18		leparted.
19	reported, inspector?	19	Q,	Take a moment here and take a look.
19 20	reported, inspector?  A. I notified Internal Affairs that I had received	19 20		Take a moment here and take a look. Okay.
	reported, inspector?  A. I notified Internal Affairs that I had received information regarding the falsification of arrest	!	A.	Okay.
20	reported, inspector?  A. I notified Internal Affairs that I had received information regarding the falsification of arrest locations, I believe it was on both arrest	20	A. Q.	Okay. So can you identify this exhibit, please?
20 21	reported, inspector?  A. I notified Internal Affairs that I had received information regarding the falsification of arrest locations, I believe it was on both arrest locations.	20 21	A. Q. A.	Okay. So can you identify this exhibit, please? It appears to be a PCR, preliminary complaint
20 21 22	reported, inspector?  A. I notified Internal Affairs that I had received information regarding the falsification of arrest locations, I believe it was on both arrest locations.	20 21 22	A. Q. A.	Okay. So can you identify this exhibit, please? It appears to be a PCR, preliminary complaint ecord, prepared by Sgt. Daniel Buglo.
20 21 22 23	reported, inspector?  A. I notified Internal Affairs that I had received information regarding the falsification of arrest locations, I believe it was on both arrest locations.  Q. And Sgt. Turner was involved in that, is that	20 21 22 23	A. Q. A. r	Okay. So can you identify this exhibit, please? It appears to be a PCR, preliminary complaint

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#### 13 (Pages 46 to 49)

	is (rage,	- TEU	
	Page 4	5	Page 48
1	correct?	1	the road, it's intended to fit in.
2	A. Yes.	2	Q. And you were in an undercover vehicle, is that
3	Q. Does it refresh your recollection as to the	3	correct, on this evening?
4	events of that particular evening?	4	A. Yes,
5	A. Yes.	5	Q. And do you recall what time you arrived at this
6	Q. And is what is reported in here are the events	6	location?
7	and actions that are reported in here accurate in	7	A. According to Sgt. Buglo's PCR it says 1 o'clock.
8	your judgment at this time?	8	Q. And this was 5141 Rosa Parks, correct?
9	A. Yes.	9	A. Yes.
10	Q. Is there anything in here that happened that you	10	Q. The same location that you had observed a month
11	do not that's reported in here that you do not	11	earlier that you've just described here at your
12	recall?	12	deposition, is that right?
13	A. No.	13	A. Yes.
14	Q. Is there anything that you can recall that's not	14	Q. And do you know what this institution or this
15	reported in here?	15	location was known as or called?
16	A. Other than the beer wasn't very good and I poured	16	A. CAID.
17	it out.	17	Q. And do you know what CAID stands for?
18	Q. We'll save that for the restaurant review in the	18	A. It believe it's Contemporary Arts Institute of
19	Metro Times.	19	Detroit.
20	A. Well, you asked the question.	20	Q. And you went there, according to Sgt. Buglo's
21	Q. I did, and that's a very good answer. I think	21	report, to investigate a complaint of illegal
22	actually	22	blind pig activity that occurs on the last Friday
23	MR. GOODMAN: Off the record a moment,	23	of each month, is that correct?
24	(An off-the-record discussion was	24	A. That's what it says, yes.
25	held).	25	Q. Do you recall that?
	Page 47	1	Page 49
1.		1	•
1 2	Page 47  Q. Do you recall how you were dressed this particular evening?		A. Yes,
	Q. Do you recall how you were dressed this	1	<ul><li>A. Yes.</li><li>Q. Was that the same complaint that you described</li></ul>
2	Q. Do you recall how you were dressed this particular evening?	1 2	A. Yes,
2 3	<ul><li>Q. Do you recall how you were dressed this particular evening?</li><li>A. No.</li></ul>	1 2 3	<ul><li>A. Yes.</li><li>Q. Was that the same complaint that you described earlier when you were discussing your observations that occurred in March?</li></ul>
2 3 4	<ul><li>Q. Do you recall how you were dressed this particular evening?</li><li>A. No.</li><li>Q. But you were undercover, is that right?</li><li>A. Yes.</li><li>Q. Unmarked vehicle, correct?</li></ul>	1 2 3 4	<ul><li>A. Yes.</li><li>Q. Was that the same complaint that you described earlier when you were discussing your</li></ul>
2 3 4 5	<ul><li>Q. Do you recall how you were dressed this particular evening?</li><li>A. No.</li><li>Q. But you were undercover, is that right?</li><li>A. Yes.</li></ul>	1 2 3 4 5	<ul> <li>A. Yes.</li> <li>Q. Was that the same complaint that you described earlier when you were discussing your observations that occurred in March?</li> <li>MS. GIAQUINTO: Objection,</li> </ul>
2 3 4 5 6	<ul> <li>Q. Do you recall how you were dressed this particular evening?</li> <li>A. No.</li> <li>Q. But you were undercover, is that right?</li> <li>A. Yes.</li> <li>Q. Unmarked vehicle, correct?</li> <li>A. Undercover vehicle being different than an unmarked vehicle.</li> </ul>	1 2 3 4 5	A. Yes. Q. Was that the same complaint that you described earlier when you were discussing your observations that occurred in March?  MS. GIAQUINTO: Objection, mischaracterization of her testimony. I don't
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Vicki Yost 12/20/2011

#### 14 (Pages 50 to 53)

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	Page 50		Page 52
1	Q. My question is, did you get any additional	1	bald, chin goatee?
2	complaints between March and April that caused	2	A. That appears accurate.
3	you to go in there in April?	3	Q. 30 to 35. When you say it appears accurate, it
4	A. I don't recall.	4	appears accurate and in accordance with your
5	Q. So this may be the same complaint as before or a	5	memory of this gentleman?
6	new complaint, is that correct?	6	A. It's consistent with my vague recollection, yes.
7	A. We could have had more than one complaint, yes.	7	Q. Then you paid for a membership in CAID, am I
8	Q. You don't know?	8	right about that?
9	A. Not without reviewing documents, no.	9	A. Yes.
10	Q. What documents would you review in order to	10	Q. And that membership was for one month, correct?
11	determine that?	11	A. Yes.
12	A. I'd have to try to see if we had a complaint	12	Q. Was there any description of what the privileges
13	book.	13	of membership entitled?
14	Q. You have a complaint book?	14	A. Not that I recall.
15	A. Yes.	15	Q. You then bought some beer, am I right about that?
16	Q. For this particular unit, Vice Enforcement?	16	A. Yes.
17	A. Yes.	17	Q. Do you remember the bartender who is described
18	Q. Would the records from 2008 still be available or	18	here by Sgt. Bugio?
1.9	accessible?	19	A. Not as detailed as this described here, no.
20	A. I don't know.	20	Q. What do you recall about her at the time?
21	Q. Who maintains the records for the complaint	21	A. The white female, 20-25, shoulder length blond
22	who maintains the complaint books and those	22	hair. I don't remember the tattoo.
23	records from the Vice Enforcement, if you know?	23	Q. Do you remember the live band?
24	A. I don't know.	24	A. Yes.
25	Q. Now, it talks about illegal "blind pig" activity.	25	Q. As far as the music activity everything that's
	(,	-	Q. The last are made destring every timing and to
	D 171	1	D . 50
	Page 51		Page 53
1	Do you see that reference in the PCR?	1	described in here is what you observed as well, a
2	Do you see that reference in the PCR?  A. Yes.	2	described in here is what you observed as well, a live band was playing and a deejay booth was
2 3	Do you see that reference in the PCR?  A. Yes.  Q. What in your judgment is meant when there's – by	2	described in here is what you observed as well, a live band was playing and a deejay booth was active, is that correct?
2 3 4	Do you see that reference in the PCR?  A. Yes.  Q. What in your judgment is meant when there's by the phrase "blind pig activity"?	2 3 4	described in here is what you observed as well, a live band was playing and a deejay booth was active, is that correct?  A. I have trouble basing my statement on what he
2 3 4 5	Do you see that reference in the PCR?  A. Yes.  Q. What in your judgment is meant when there's — by the phrase "blind pig activity"?  A. Illegal sale or consumption of alcohol without a	2 3 4 5	described in here is what you observed as well, a live band was playing and a deejay booth was active, is that correct?  A. I have trouble basing my statement on what he wrote down. Yes, I observed a deejay booth and
2 3 4 5 6	Do you see that reference in the PCR?  A. Yes.  Q. What in your judgment is meant when there's — by the phrase "blind pig activity"?  A. Illegal sale or consumption of alcohol without a license.	2 3 4 5	described in here is what you observed as well, a live band was playing and a deejay booth was active, is that correct?  A. I have trouble basing my statement on what he wrote down. Yes, I observed a deejay booth and yes, I observed the live band.
2 3 4 5 6 7	Do you see that reference in the PCR?  A. Yes.  Q. What in your judgment is meant when there's — by the phrase "blind pig activity"?  A. Illegal sale or consumption of alcohol without a license.  Q. Without a license only?	2 3 4 5 6 7	described in here is what you observed as well, a live band was playing and a deejay booth was active, is that correct?  A. I have trouble basing my statement on what he wrote down. Yes, I observed a deejay booth and yes, I observed the live band.  Q. Was there music going from both sources at the
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Do you see that reference in the PCR?  A. Yes.  Q. What in your judgment is meant when there's — by the phrase "blind pig activity"?  A. Illegal sale or consumption of alcohol without a license.  Q. Without a license only?  A. One could be underage is also a common denominator of a blind pig.  Q. And sales after 2 AM in the morning, is that also a blind pig?  A. That's also a blind pig as well.  Q. So any of those three possible forms of illegal activity with regard to the sales of liquor constitute blind pig activity in your understanding, is that correct?  A. Under 21 wouldn't by itself, but the other two, whether they're selling after hours would.  Q. Now, the PCR goes on to describe the person to whom you paid a \$5 cover charge, do you see that?  A. Yes.  Q. Do you remember that gentleman yourself?  A. Vaguely.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 10 11 12 13 14 12 12 12 12 12 12 12 12 12 12	described in here is what you observed as well, a live band was playing and a deejay booth was active, is that correct?  A. I have trouble basing my statement on what he wrote down. Yes, I observed a deejay booth and yes, I observed the live band.  Q. Was there music going from both sources at the same time?  A. Yes.  Q. Were people dancing if you can recall?  A. I believe so.  Q. How many?  A. A handful.  Q. Were they dancing to the deejay or to the live band?  A. I don't recall.  Q. You then entered both of you entered it says an outside fenced area, is that correct?  A. Yes.  Q. And is that outside fenced area like a yard of some sort?  A. Yes.

### 2:10-cv-10675-VAR-MKM Doc # 84-4 Filed 04/17/12 Pg 15 of 39 Pg ID 1845

Vicki Yost 12/20/2011

15 (Pages 54 to 57)

	, - · · · · · · · · · · · · · · · · · ·		- 00 011
	Page 5	54	Page 56
1	Q. So the only way to get to it was through the CAID	1	you saw at the CAID leading up to and immediately
2	facility itself, is that right?	2	
3	A. I wouldn't say it's the only way. It's the most	3	
4	practical way without jumping the fence or	4	
5	climbing said fence, yes.	5	
6	Q. The only way to do so without jumping a fence?	6	
7	A. That it was a pretty tall fence.	7	
8	Q. But I'm right about that, the only way you can	8	After we purchased a drink talked for a
9	get in without jumping the fence or	9	little bit, looked around, not much though and
10	A. From what I observed, yes.	10	fairly shortly thereafter the raid was called.
11	Q. You observed people drinking, is that correct?	11	Q. What time was the raid called, if you can recall?
12	A. Yes.	12	A. I want to say about 2:30. If I could look at the
1.3	Q. And you observed several people smoking what	13	71. I want to say about 2.30. If I could look at the
14	appeared to be marijuana, this is according to	14	O I'll show you in just a minute and C
15	Sgt. Buglo, by sight and smell, is that also	15	Q. I'll show you in just a minute, yeah. Sometime
16	correct?	16	between 2 and 2:30, would that be a fair statement?
17	A. Yes.	17	
18	Q. You observed someone named Dan roll three	,	A. I believe I said it was approximately 2:30.
19	marijuana cigarettes which were passed around to	18 19	Q. And well, here.
20	people who were in the area, am I right about	20	DEPOSITION EXHIBIT 4
21	that?		DPD CRISNET report dated 5-31-08
22	A. I don't remember his name. I did observe a white	21	WAS MARKED BY THE REPORTER
23	male roll several marijuana cigarettes, yes, and	22	FOR IDENTIFICATION.
24	pass them around the picnic table, yes.	23	Q. Can you identify what's been marked as Exhibit 4?
25	Q. Did they pass any to you or Sgt. Buglo?	24	A. It's a CRISNET report entered by Sgt. Buglo.
	Q. Bit they plass any to you of Bgt. Buglo?	25	Q. If you turn to Page 7 of that report you'll see a
	Page 5	5	Page 57
1	A. No, it was time to get up and take a stroll at	1	description of what occurred.
2	that point.	2	A. Okay.
3	(An off-the-record discussion was	3	Q. And according to that descriptive paragraph or
4	held).	4	narrative on Page 7 you were charged \$5 cover
5	Q. You also observed after hours sales according to	5	charge, a \$3 membership fee, observed people
6	this report, is that also right?	6	drinking, purchased beer, saw after hours
.7	A. Yes.	7	purchases of alcohol and then called for the
8	Q. And then you left?	8	
9			raid, is that correct?
10	A. Yes.	9	raid, is that correct?
τo		-9	A. Yes,
11	<ul><li>A. Yes.</li><li>Q. How soon after you left was this PCR written, if you know?</li></ul>	.9 10	<ul><li>A. Yes.</li><li>Q. All right, so in all three observations the</li></ul>
	Q. How soon after you left was this PCR written, if	9 10 11	<ul><li>A. Yes.</li><li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in</li></ul>
11	<ul><li>Q. How soon after you left was this PCR written, if you know?</li><li>A. You'd have to ask Sgt. Buglo.</li></ul>	9 10 11 12	<ul><li>A. Yes.</li><li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in this establishment, is that right?</li></ul>
11 12	<ul> <li>Q. How soon after you left was this PCR written, if you know?</li> <li>A. You'd have to ask Sgt. Buglo.</li> <li>Q. Did he show you the PCR after he wrote it?</li> <li>A. I don't recall if I – I reviewed it at some</li> </ul>	9 10 11 12 13	<ul><li>A. Yes.</li><li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in this establishment, is that right?</li><li>A. That's not the only thing.</li></ul>
11 12 13	<ul> <li>Q. How soon after you left was this PCR written, if you know?</li> <li>A. You'd have to ask Sgt. Buglo.</li> <li>Q. Did he show you the PCR after he wrote it?</li> <li>A. I don't recall if I – I reviewed it at some</li> </ul>	9 10 11 12 13	<ul> <li>A. Yes.</li> <li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in this establishment, is that right?</li> <li>A. That's not the only thing.</li> <li>Q. Not-the-only-one, but-that-was-one of them, am I</li> </ul>
11 12 13 14	<ul><li>Q. How soon after you left was this PCR written, if you know?</li><li>A. You'd have to ask Sgt. Buglo.</li><li>Q. Did he show you the PCR after he wrote it?</li></ul>	9 10 11 12 13 14	<ul> <li>A. Yes.</li> <li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in this establishment, is that right?</li> <li>A. That's not the only thing.</li> <li>Q.—Not-the-only-one, but-that-was-one of them, am-I-right about that?</li> </ul>
11 12 13 14	<ul> <li>Q. How soon after you left was this PCR written, if you know?</li> <li>A. You'd have to ask Sgt. Buglo.</li> <li>Q. Did he show you the PCR after he wrote it?</li> <li>A. I don't recall if I I reviewed it at some point, but I don't recall specifically when that was.</li> </ul>	9 10 11 12 13 14 15	<ul> <li>A. Yes.</li> <li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in this establishment, is that right?</li> <li>A. That's not the only thing.</li> <li>Q.—Not-the-only-one, but-that-was-one of them, am-I-right about that?</li> <li>A. What was your</li> </ul>
11 12 13 14 15 16	<ul> <li>Q. How soon after you left was this PCR written, if you know?</li> <li>A. You'd have to ask Sgt. Buglo.</li> <li>Q. Did he show you the PCR after he wrote it?</li> <li>A. I don't recall if I I reviewed it at some point, but I don't recall specifically when that was.</li> <li>Q. And you reviewed it before coming in here to</li> </ul>	9 10 11 12 13 14 15 16	<ul> <li>A. Yes.</li> <li>Q. All right, so in all three observations the actions which you saw were sales of alcohol in this establishment, is that right?</li> <li>A. That's not the only thing.</li> <li>Q. Not-the-only-one, but-that-was-one of them, am-I-right about that?</li> <li>A. What was your</li> <li>Q. One of the illegal activities that you saw were</li> </ul>
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#### 16 (Pages 58 to 61)

	#0 \rages	, 50	0.00.01)
	Page 58	3	Page 60
1	Q. Who did you check with?	1	A. There are rules and laws against BYOB, bring your
2	A. MLCC.	2	own beer or alcohol, yes.
3	Q. And when did you check?	3	Q. Other than those actions did you see any illegal
4	<ul> <li>A. Right before the raid and prior to the UC</li> </ul>	4	activities by anyone in the CAID at any time or
5	activity.	5	outside the CAID?
6	Q. You mean prior to March, to the March observation	6	A. Other than the failure to have a liquor license,
7	of the CAID?	7	the sale after 2 AM and the prevalent use of
8	A. After the March observation we would have checked	8	marijuana?
9 10	to see if there was a license, yes.	9	Q. Yes?
11	Q. So you checked with them twice?  A. I believe so.	10	A. And the bringing of alcohol into the location?
12	Q. And you determined there was no license, is that	11	Q. Right.
1.3	right?	12	A. I think that covers it.
14	A. Yes.	13 14	Q. Did you see any weapons?
15	Q. Therefore any sales of alcohol on the premises in	15	A. No.
16	your judgment as a law enforcement officer at the	16	<ul><li>Q. Did you see any violence?</li><li>A. No.</li></ul>
17	time were illegal, am I right?	17	Q. Was there any form of briefing of the officers
18	A. Yes,	18	who would be involved in the raid before the raid
19	Q. You also observed sales after 2 AM in the	19	took place?
20	morning, is that right?	20	A. Yes.
21	A. Yes.	21	Q. Where was that?
22	Q. That was another form of illegal activity that	22	A. I don't recall.
23	you observed, is that correct?	23	MR. ASHFORD: I'm going to object to
24		24	that to the extent it calls for confidential law
25	can't sell after 2 AM, yes, so it's an unlicensed	25	enforcement information.
	Page 59		Page 61
1	liquor establishment so the time isn't yes,	1	To the extent it does not, the witness
2	after 2 AM in a licensed liquor establishment you	2	can answer. My objection is on behalf of the
3	cannot sell.	.3	City of Detroit.
4	This is not a licensed liquor	4	MS. GIAQUINTO: You can answer.
5	establishment.	5	BY MR. GOODMAN:
6	Q. So it makes no difference as to what time it was?	6	Q. Do you understand the objection?
7	A. They can't sell.	7	A. Yeah. I don't recall where we held the briefing.
8	Q. You also observed marijuana being used and	8	Q. Was it how long was the briefing? How long
9	ingested, is that correct?	9	did it take?
10		10	A. I don't recall.
11		11	Q. How long before the actual raid did the briefing
12 13	1 1	12	occur?
14	- · · · · · · · · · · · · · · · · · · ·	1.3	A. I don't specifically recall.
15	1 11 11 1 10 10	14	-Q.—Who-was present at the briefing?————————————————————————————————————
16	•	15 16	A. It would have been the entry team, the support
17		16 17	teams, myself and other members of Vice
18	A 1 1 11 11 11 11 11 11 11 11 11 11 11 1	1.8	Enforcement,
19	1	19	<ul><li>Q. Approximately how many law officers were present?</li><li>A. I don't recall the specific number.</li></ul>
20		20	Q. Can you give me a range? Was it a couple of
21	v • • • • • • • • • • • • • • • • • • •	21	dozen or more or less?
22			A. I don't want to speculate.
23			Q. If I were to say that it appeared to me, having
			Q. II I WOLC to Say that it abbesied to the harma
24		24	
24 25	Q. And that would have been illegal activity also,		viewed some videotape of this raid, that I counted over two dozen law officers, would that

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#### Vicki Yost 12/20/2011

17 (Pages 62 to 65)

	1/ (rage	5 04	LO 65)
	Page 6	2	Page 64
1	in any way surprise you?	1	Q. That's where you smelled the marijuana, is that
2	MR. ASHFORD: Objection to the form.	2	right?
3	MS. GIAQUINTO: You can answer.	3	A. Yes,
4	A. Like I said, there were members of Vice	4	Q. Now, going back to the briefing, what happened
5	Enforcement, the supporting team and entry team.	5	during the briefing? Describe the briefing for
6	The total number, without reviewing something	6	me.
7	that's not in front of me here I can't give you	7	MS. GIAQUINTO: You can describe it.
8	the total number.	8	A. Essentially officers are given information about
9	BY MR. GOODMAN:	9	where the location — where the entry points are,
10	Q. And I wasn't asking you to, but I'm saying	10	what the location looks like. They're given a
11	well, withdraw the question.	11	look at the undercover officers so they have an
12	Let me put it this way. If I were to	12	idea who we are.
13	say that there were more than two dozen law	13	
14	enforcement officers there, would you be able to	14	The entry team the raid entry is
15	disagree with me before you looked at these	15	determined by the entry team, not by the briefing
16	records?	16	that I would have conducted. A hospital would be
17	A. I wouldn't want to speculate without looking at	17	selected, an evacuation unit should we need it
18	the records,	į.	would have been identified, and assignments would
19	Q. So any disagreement with that number would be	18	have been prepared. BY MR, GOODMAN:
20	speculation on your part, is that right?	19 20	
21	A. Yes.	1	Q. Now, you said something about the entry team,
22	Q. When you said that you had smelled marijuana	21 22	they determines their own entry?
23	there on May 31 I want to back up for just a	23	A. Yes.
24	moment, withdraw that question.	24	Q. What do you mean by that?
25	When you went in there as an undercover	25	A. Meaning I'm not the commanding officer of either
	when you went in there as an undercover	45	SRT or Narcotics, which would be the typical
	Page 63		Page 65
1	part of the undercover-operation-on-May 31	1	entry teams, and they would determine the entry.
2	before the raid you went into the premises of the	2	Q. When I say "the entry", they determine where they
3	CAID itself, is that correct?	3	enter?
4	A. 5141 Rosa Parks, yes.	4	A. They determine everything about the entry.
5	Q. You went into the building?	5	Q. Whether the weapons would be drawn when they
6	A. Yes.	6	enter?
7	Q. Was there music?	7	A. They determine everything about the entry.
8	A. I believe so.	8	Q. Do you talk to the commander of the SRT or the
9	Q. Was there a deejay?	9	Narcotics Unit, whoever is doing the entry?
10	A. I don't know.	10	A. The briefing was there, but they make their
11	Q. Was there a band?	11	assignments based on their personnel and their
12	A. I don't recall.	12	familiarity with their personnel.
13	Q. Was there dancing?	13	Q. Did you advise the officers who were present at
14	A. Not that I observed.	14	the briefing that you had not observed any
15	Q. And did you go from the inside of that location	15	weapons and you had not observed any violence
16	outside into the patio that we talked about	16	while you were there on two prior occasions?
17	carlier?	17	A. That's part of a normal briefing.
18	A. Not prior to the execution of the search warrant,	1.8	Q. How long were you present at 5141 Rosa Parks
19	no.	19	before you called in the raid?
20	Q. When you smelled the marijuana did you smell it	20	MS. GIAQUINTO: Objection, foundation.
21	inside the establishment or after the execution	21	We don't now that she called the raid, maybe
22	of the warrant somewhere else?	22	Buglo did.
23	A. Inside.	23	A. Probably between 5 and 15 minutes.
24	Q. Do you know where inside you were smelling it?	24	BY MR. GOODMAN:
25		25	Q. You called in the raid, didn't you?

Vicki Yost 12/20/2011

18 (Pages 66 to 69)

	(1 a.g a		0 00 007
	Page 6	6	Page 68
1	A. I don't recall.	1	rephrase the question.
2	Q. So either you or Buglo, you don't know which of	2	BY MR. GOODMAN:
3	you?	3	Q. At the time the raid was called in the decision
4	A. Correct, would have been one of us.	4	to call in the raid was your decision as the
5	Q. What did it consist of, calling in the paid?	5	commanding officer of the unit, was it not?
6	MR. ASHFORD: I'm going to object to	6	A. In this instance it would have been my decision,
7	that, confidential law enforcement information	7	yes.
8	and instruct on behalf of the City of Detroit	8	· · · · · · · · · · · · · · · · · · ·
9	instruct the City employee not to respond.	9	Q. And at that time that that decision was made you
10	BY MR. GOODMAN:	10	were well aware, were you not, that everybody who
11	Q. Let me ask you this. Do you make a telephone	11	was in the establishment would receive a citation
12	call and say, "Come on in"?	12	for loitering or for engaging in an illegal
13	MR. ASHFORD: Same objection. Instruct	13	occupation, is that right?
14	the witness not to answer that.	14	MS. GIAQUINTO: Objection, foundation.
15	BY MR. GOODMAN;	15	You can answer if you can.
16	Q. When you called in the raid or when Sgt. Buglo	i	A. I was aware.
17	called in the raid did he advise the withdraw	16	BY MR. GOODMAN:
18	that question.	17	Q. And that would be regardless of whether they were
19	-	18	drinking, is that right?
20	When you call in the raid do you call	19	A. Not necessarily.
21	the entry team, is that the way in which the raid is initiated, inspector?	20	Q. You mean there might be a situation when someone
22	A I rung projeting to and if the control of	21	would not be given a citation if they were not
23	A. I was waiting to see if there was an observation.	22	drinking?
24	Q. I know. I was trying to cut short the process.	23	A. I'm sure there were possibilities. I'm not sure
25	A. It would vary from it could vary from case to	24	what happened here in terms of my experience
	case, but in this scenario I don't recall who was	25	and my observations were that the people present
			F
	Page 67	,	
1			Page 69
1 2	called.	1	Page 69 were engaged in that activity.
2	called.  Q. Did you advise them that you did not observe	1 2	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in
2 3	called.  Q. Did you advise them that you did not observe weapons and you did not observe any violence	1 2 3	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?
2 3 4	called.  Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?	1 2 3 4	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.
2 3 4 5	<ul><li>called.</li><li>Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?</li><li>A. That would have been covered at the briefing.</li></ul>	1 2 3 4 5	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.  Q. Were there people you did not observe?
2 3 4 5 6	<ul><li>called.</li><li>Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?</li><li>A. That would have been covered at the briefing.</li><li>Q. But the information that would have been new is</li></ul>	1 2 3 4 5	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.  Q. Were there people you did not observe?  A. I said I didn't go outside.
2 3 4 5 6 7	<ul> <li>called.</li> <li>Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?</li> <li>A. That would have been covered at the briefing.</li> <li>Q. But the information that would have been new is what was going on when you were there as an</li> </ul>	1 2 3 4 5 6 7	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.  Q. Were there people you did not observe?  A. I said I didn't go outside.  Q. Everybody who was in the CAID at the time that
2 3 4 5 6 7 8	<ul> <li>called.</li> <li>Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?</li> <li>A. That would have been covered at the briefing.</li> <li>Q. But the information that would have been new is what was going on when you were there as an undercover immediately prior?</li> </ul>	1 2 3 4 5 6 7 8	Page 69 were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.  Q. Were there people you did not observe?  A. I said I didn't go outside.  Q. Everybody who was in the CAID at the time that you were inside the location in the building
2 3 4 5 6 7 8 9	<ul> <li>called.</li> <li>Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?</li> <li>A. That would have been covered at the briefing.</li> <li>Q. But the information that would have been new is what was going on when you were there as an undercover immediately prior?</li> <li>A. That's assuming new information was provided.</li> </ul>	1 2 3 4 5 6 7 8 9	Page 69  were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.  Q. Were there people you did not observe?  A. I said I didn't go outside.  Q. Everybody who was in the CAID at the time that you were inside the location in the building itself, was drinking, is that your
2 3 4 5 6 7 8 9	<ul> <li>called.</li> <li>Q. Did you advise them that you did not observe weapons and you did not observe any violence inside?</li> <li>A. That would have been covered at the briefing.</li> <li>Q. But the information that would have been new is what was going on when you were there as an undercover immediately prior?</li> <li>A. That's assuming new information was provided.</li> <li>Q. That's my question.</li> </ul>	1 2 3 4 5 6 7 8 9	Page 69  were engaged in that activity.  Q. It was your observation that everybody who was in the CAID was drinking, is that right?  A. Not everybody. The people that I observed were.  Q. Were there people you did not observe?  A. I said I didn't go outside.  Q. Everybody who was in the CAID at the time that you were inside the location in the building itself, was drinking, is that your  A. The people that I observed had red cups or other
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#### Vicki Yost 12/20/2011

#### 19 (Pages 70 to 73)

	19 (Page	s 70	) to 73)
	Page 7	0	Page 72
1	that night?	1	as large as the one on this particular night?
2	A. Off the top of my head, no.	2	A. I'm sorry?
3	Q. If I were to tell you there were over 100, would	3	Q. What range of times were involved in processing a
4	you have any reason to disagree with that?	4	group as large as the group that was involved at
5	A. No.	5	the CAID on May 31, 2008?
6	Q. So of the more than 50 people who you did not	6	A. How long did it take to process?
7	observe was there can you as the commanding	7	Q. In general, yeah. What's the average or what's
8	officer of the Vice Enforcement Unit at this time	8	the longest, what's the shortest, that type of
9	indicate to me why those people were given	9	thing?
10	citations?	10	A. I don't want to speculate.
11	A. For loitering in a place of illegal occupation.	11	Q. You knew it could take hours, didn't you?
12	Q. So it made no difference one way or the other	12	A. To do what?
13	whether they were actually drinking, is that	13	Q. To process a group this large?
1.4	correct?	14	A. It may.
15	A. Correct.	15	Q. So there would be people who would be detained
16	Q. So the fact that someone was or was not drinking	16	for that length of time, is that right?
17	had nothing to do with the reason they were given	17	A. They were pending processing.
18	a citation on that night, is that right?	18	Q. I'm sorry?
19	A. Correct.	19	A. There could be.
20	Q. And you say I think you testified earlier not	20	MR. ASHFORD: Can you keep your voice
21	everybody has to be given a citation, is that	21	up?
22	right?	22	MR. GOODMAN: I'm sorry.
23	A. There are instances in enforcement actions that	23	BY MR. GOODMAN:
24	sometimes citations are not issued.	24	Q. Taking a look at Exhibit 4, in addition to the
25	Q. What kind of instances, can you give me an	25	narrative that we've just discussed what other
	Page 71		Page 73
1	example?	1	information is contained in this document?
2	A. It could be a minor that we returned to a parent,	2	A. There's a list of individuals who looks like
3	it could be there's several options.	3	they were either cited or investigated.
4	Q. Anything else?	4	Q. Anything else?
5	A. That's one.	5	A. There's a brief paragraph above that that says
6	Q. Anything else?	6	Vice Enforcement Narcotics Code 3025 and 2913 and
7	A. Not off the top of my head.	7	Tactical Mobile assisted in the execution. It
8	Q. So in addition to knowing that everybody who was	8	has the warrant number contained.
9	in the establishment at that time unless they met	9	Q. So all that's contained I mean and that's
10	some unusual circumstance or situation would be	10	it, is that right?
11	given a citation, you knew that the people who	11 .	A. No, there's a note on the back that we didn't
12	were given citations would be detained for a long	12	discuss regarding a purse that was left at the
13	period of time, is that correct?	13	location.
14	_A They would be processed	14-	-QAnything-else?
15		Į.	
	Q. How long would the processing take?	15	A. That was released to Jacob Timlin after I talked
16	<ul><li>Q. How long would the processing take?</li><li>A. Depends on the establishment.</li></ul>	16	A. That was released to Jacob Timlin after I talked to the owner of said purse or who I believe to be
17	<ul><li>Q. How long would the processing take?</li><li>A. Depends on the establishment.</li><li>Q. In your experience how many raids such as this</li></ul>	16 17	A. That was released to Jacob Timlin after I talked to the owner of said purse or who I believe to be the owner.
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#### Vicki Yost 12/20/2011

20 (Pages 74 to 77)

		1	
	Page 74	4	Page 76
1	A. No, gives you the code for them.	1	Q. Yes.
2	Q. The code meaning what?	2	•
3	A. That's the unit they go by.	3	
4	Q. So if you checked through that code number, you	4	
5	will get the names of the officers who were	5.	
6	involved in the entry?	6	and 21 either observed by you or any other law
7	A. Narcotics should be able to look at that and tell	7	
8	you who's involved in the entry.	8	A. I don't know.
9	Q. Where does it say which unit was involved in the	9	Q. If so, would it be reported in this particular
10	entry?	10	document? By "this document" I'm referring to
11	A. Narcotics code 3025 and 2913.	11	Exhibit 4.
12	Q. I see the code numbers for the Narcotics Unit,	12	A. What's the question?
13	but why do I know that Narcotics did the entry or	13	Q. If someone if there was a minor actually
14	why do you know that Narcotics did the entry and	14	drinking or in possession of alcohol would it be
15	not Tactical Mobile?	15	reported in this Exhibit 4, in this CRISNET?
16	A. Tactical Mobile does not do entries.	16	MR. ASHFORD: Object to form.
17	Q. And were there Narcotics officers there other	17	A. You'd have Sgt. Buglo prepared the report,
18	than the entry team or was the entry team were	18	you'd have to ask him.
19	the only Narcotics officers who were present	19	BY MR. GOODMAN:
20	those involved in the entry?	20	Q. Well, as his commanding officer and law
21	A. To my knowledge it would be the officers involved	2.1	enforcement officer yourself, if someone was
22	in the entry.	22	if a minor was in possession shouldn't it be
23	Q. No other Narcotics involved?	23	reported in some official police report or
24	A. Not that I'm aware of.	24	document?
25	Q. Does it indicate where these various individuals	25	A. It depends on the circumstances.
			22. At depends on the chedinstances.
	Dage 75		
-1	Page 75		Page 77
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Vicki Yost 12/20/2011

### 21 (Pages 78 to 81)

		1	
	Page 78		Page 80
1	Q. Were there several long tables in some part of	1	happened in those raids routinely, is that right?
2	the establishment at which officers sat and	2	A. That was based on my familiarity with the City
3	people shuttled past them?	3	Code.
4	A. I don't recall.	4	Q. And how are you familiarized with the City Code?
5	Q. Were people interviewed at all? By "people", I	5	A. I don't understand.
6	mean were any of the customers interviewed?	6	Q. Who showed it to you, who informed you this is
7	A. You'd have to ask the officers that did the	7	the law that we're enforcing here?
8	processing.	8	A. I don't specifically recall.
9	Q. Were you present while the processing was being	9	Q. Was it your predecessor, Debra Fair?
10	done?	10	A. I'm sure I had seen that version of the City Code
11	A. Parts of it, yes.	11	prior to my time at Vice Enforcement.
12	Q. Did you observe it happening?	12	Q. Prior to your time in Vice Enforcement?
13	A. I observed conversations, but I wasn't in-depth	13	A. I'm sure.
1.4	paying attention to what the officers were having	1.4	Q. Why is it that you would have seen it prior to
15	said conversations about, so if there was an	15	your time in Vice Enforcement?
16	interview or something of that nature, the	16	A. One
17	characterization I can't confirm or deny.	17	Q. Did you have occasion to enforce that particular
18	Q. When you say "observe conversations", you	18	provision of the law?
19	observed conversations between Detroit police	19	A. Not that I would specifically recall.
20	officers and patrons of the CAID, is that what	20	Q. But it was your understanding that the law itself
21	you're saying?	21	authorized Detroit police officers to arrest
22	A. Yes.	22	anyone who was present at a location an
23	Q. You have no idea what they were talking about?	23	unlicensed location where alcohol was being sold
24	A. In most - I wasn't paying particular attention	24	and where alcohol was being sold after 2 AM
25	to their conversations.	25	regardless of whether those people knew that the
		· ·	
	Page 79		Page 81
1		1	Page 81
1 2	Q. Did you hear anyone ask, "Why am I being given a	1 2	alcohol was being sold without a license at that
2	Q. Did you hear anyone ask, "Why am I being given a citation"?	2	alcohol was being sold without a license at that location, is that right?
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2 3 4	<ul><li>Q. Did you hear anyone ask, "Why am I being given a citation"?</li><li>A. Not that I specifically recall.</li></ul>	2 3 4 5	<ul><li>alcohol was being sold without a license at that location, is that right?</li><li>A. No, it isn't. You said arrest.</li><li>Q. I'm sorry, you're right. Let's go back then to citations. Is it your understanding then that</li></ul>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q. Did you hear anyone ask, "Why am I being given a citation"?</li> <li>A. Not that I specifically recall.</li> <li>Q. Did you hear anyone say, "I had no idea one way or another whether this was a licensed establishment"?</li> <li>A. Not that I specifically recall.</li> <li>Q. Did you hear anybody say one way or another, "I had no idea there was drinking going on here"?</li> <li>A. Not that I specifically recall.</li> <li>Q. Would it have made any difference whatsoever had that information been communicated to any of the officers who were engaged in the processing in terms of whether or not the person would receive a citation? <ul> <li>MS. GIAQUINTO: Objection, foundation.</li> <li>You can answer.</li> </ul> </li> <li>A. I wouldn't want to speculate. You'd have to ask the officers issuing the tickets.</li> <li>BY MR. GOODMAN:</li> <li>Q. The circumstance that you described earlier, that is that regardless of whether anybody was drinking and they would be given a citation for loitering in a site of an illegal occupation,</li> </ul>	2 3 4 5 6 7 8 9 0 1 1 2 3 4 1 5 6 7 8 9 0 1 1 2 3 4 1 5 6 7 8 9 0 1 2 2 3 2 3	alcohol was being sold without a license at that location, is that right?  A. No, it isn't. You said arrest.  Q. I'm sorry, you're right. Let's go back then to citations. Is it your understanding then that people would be given a citation for loitering at a location where alcohol was being sold without a license or being sold after hours, regardless of whether they had knowledge of whether the place was licensed or not?  Was that your understanding at the time?  A. I don't think that's accurate either.  Q. How is that inaccurate?  A. Well, one, I mean after hours sales of alcohol 2  AM is a commonly known thing. That's why bars close, etc, etc, so that would be fair notice to the after hours sales.  As far as the blind pig activity, we did not — for them not having any license, we did not execute until after such time that people should have been familiar with that information that alcohol was being sold after hours.

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Vicki Yost 12/20/2011

22 (Pages 82 to 85)

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	Page 82		Page 84
1	A. That was in part a reason, yes.	ı	recollection or that that's just a rough
2	Q. Because then you said people should have fair	2	estimate?
3	notice that sales were being purchases were	3	A. I'm saying people have different perspectives.
4	being made and alcohol was being sold after 2 AM,	4	Q. Do you disagree with 2:20?
5	is that right?	5	MR. ASHFORD: I'm going to object to
6	A. In part.	6	that, asks and answered. She's answered that
7	Q. What else?	7	several times.
8	A. There would be tactical and other considerations	8	BY MR. GOODMAN:
9	which probably wouldn't be privy to discuss, but	9	Q. Go ahead.
10	there would be other considerations as to the	10	A. 2:20 for them could be the time they received the
11	time of the execution.	11	notification. They would still have to leave
12	Q. How is it that people would be on fair notice	12	whatever location they were at and then come to
13	that alcohol was being withdraw that question.	13	the scene to make entry.
14	What time was it that the raid was	14	2:30 could also be right because of my
15	called in according to Exhibit 4?	15	recollection of when they came in the door and
16	A. I'll say it again, I believe the raid was	16	executed would be that, so I don't know which one
17	executed around 2:30 AM.	17	they were reflecting on this activity log. I did
18	Q. If videotape of the raid showed the raid being	1.8	not prepare said activity log so, like I said,
19	executed at about 2:15 would you have any reason	19	perspectives can be different.
20	to disagree with that?	20	My recollection was it was
21	A. My recollection is it was executed approximately	21	approximately 2:30 AM.
22	2:30.	22	Q. Is there any other documentation that you can
23	Q. Do you have any documentation of that	23	think of or would there be any other
24	recollection?	24	documentation other than the activity log that
25	A. Not that's sitting before me, no.	25	would tell us at what time this warrant was
	Page 83		Page 85
1	Q. Is there some anywhere?	[ _	executed?
	Q. Is there some any where:	1	CACCUICGI
2	A. There could be.	1 2	
2 3	•		A. I'm sure there could be other documentation.
	A. There could be.	2	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what
3	A. There could be. Q. Where?	2	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time
3 4	<ul><li>A. There could be.</li><li>Q. Where?</li><li>A. There would be an activity log attached to this,</li></ul>	2 3 4	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time of notification as opposed to the time of entry,
3 4 5	<ul><li>A. There could be.</li><li>Q. Where?</li><li>A. There would be an activity log attached to this, there would be other documents.</li></ul>	2 3 4 5	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time of notification as opposed to the time of entry, it could be the time of entry. I don't know what
3 4 5 6	<ul><li>A. There could be.</li><li>Q. Where?</li><li>A. There would be an activity log attached to this, there would be other documents.</li><li>Q. Let's take a look at that.</li></ul>	2 3 4 5 6	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time of notification as opposed to the time of entry,
3 4 5 6 7	<ul> <li>A. There could be.</li> <li>Q. Where?</li> <li>A. There would be an activity log attached to this, there would be other documents.</li> <li>Q. Let's take a look at that.  DEPOSITION EXHIBIT 5</li> </ul>	2 3 4 5 6 7	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time of notification as opposed to the time of entry, it could be the time of entry. I don't know what they were recording here.
3 4 5 6 7 8	<ul> <li>A. There could be.</li> <li>Q. Where?</li> <li>A. There would be an activity log attached to this, there would be other documents.</li> <li>Q. Let's take a look at that.  DEPOSITION EXHIBIT 5  DPD activity log, 5-30-08</li> </ul>	2 3 4 5 6 7 8	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time of notification as opposed to the time of entry, it could be the time of entry. I don't know what they were recording here.  "Execution of search warrant" could be from the notice to go.
3 4 5 6 7 8 9	<ul> <li>A. There could be.</li> <li>Q. Where?</li> <li>A. There would be an activity log attached to this, there would be other documents.</li> <li>Q. Let's take a look at that.  DEPOSITION EXHIBIT 5  DPD activity log, 5-30-08  WAS MARKED BY THE REPORTER</li> </ul>	2 3 4 5 6 7 8	A. I'm sure there could be other documentation.  What it would be at this point, I don't know what it would be. Like I said, that could be the time of notification as opposed to the time of entry, it could be the time of entry. I don't know what they were recording here.  "Execution of search warrant" could be
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### 2:10-cv-10675-VAR-MKM Doc # 84-4 Filed 04/17/12 Pg 23 of 39 Pg ID 1853

Vicki Yost 12/20/2011

23 (Pages 86 to 89)

	45 (rayes	, 00	CO 69)
	Page 86		Page 88
1	A. Between 10 and 25.	1	MS. GIAQUINTO: Objection, foundation.
2	Q. Was there any alcohol being served in the patio	2	MR. ASHFORD: Object to the form.
3	as far as you know, sold?	3	A. I can't say.
4	A. I went out there after the execution of the	4	BY MR. GOODMAN:
5	search warrant. There was no alcohol being sold	5	Q. You couldn't see what was going on on the patio
6	after we had executed the search warrant.	6	as you were standing near the bar, is that right?
7	Q. Was there any alcohol being sold in the patio	7	A. Once I was inside the location, no.
8	area withdraw that question.	8	Q. So the people who were in the patio, if there
9	Do you have any reason to believe there	9	were people in the patio, could not see what was
10	was any alcohol being sold in the patio area	10	going on at the bar, is that right?
11	before you went out there?	11	A. At the inside bar, no, they could not.
12	A. I don't understand.	12	Q. There was no reason for those people to be on
13	Q. Do you have did anyone tell you, did you have	13	notice that sales were going on after 2 AM in the
14	any other reason to believe that someone was	14	morning as far as you know at this time, was
15	selling alcohol outside in the patio before 2:20	15	there?
16	or 2:30 AM on the morning of May 31st?	16	A. I don't know.
17	A. I don't know if they were selling alcohol in the	17	Q. So the reason those people were given citations
18	patio prior.	18	let me withdraw that question.
19	Q. That's not my question. My question is, did you	19	The people who were in the patio were
20	have any reason to believe that there was any	20	given citations, is that correct?
21	alcohol being sold out there?	21	A. Actually I'm not going to assume. I believe they
22	MR. ASHFORD: Objection to form.	22	were.
.23	MS. GIAQUINTO: You can answer.	23	Q. And whether and they were given citations for
24	BY MR. GOODMAN:	24	being at a location where alcohol was being sold
25	Q. Go ahead, inspector.	25	that was unlicensed, is that right?
	To one		The state of the s
	Page 87		Page 89
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2	A. I don't recall. Q. At this time you can't recall any reason that you	_2	Page 89  A. Yes.  Q. And you said you waited until after 2 AM to call
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>A. I don't recall.</li> <li>Q. At this time you can't recall any reason that you would have had to believe people were selling alcohol out there, is that right?</li> <li>A. One, I don't understand the question. You're asking me to I don't understand the question to begin with, so</li> <li>Q. There were people out in the patio when you were sitting at the bar observing sales of alcohol, is that right?</li> <li>A. I wasn't sitting at the bar, but</li> <li>Q. Near the bar?</li> <li>A. I was standing near the bar.</li> <li>Q. Standing near the bar. Were there people in the patio as you were standing near the bar?</li> <li>A. I didn't observe the patio. From that location you cannot observe outside, so you're asking me to speculate as to what was occurring outside. I did not observe it.</li> <li>Q. There may or may not have been people on the patio at that time, is that right?</li> <li>A. There may or may not.</li> <li>Q. That's right. And there may or may not have been alcohol being sold out there, is that right?</li> </ul>	2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 19 20 21 22	A. Yes.  Q. And you said you waited until after 2 AM to call for the raid because the people who could observe alcohol being sold after 2 AM were on fair notice that that was happening, is that right?  A. That was a consideration. That was not all the consideration.  Q. But that consideration may not have applied to people who were on the patio who could not see what was going on in or around the bar, isn't that right?  A. Correct.  Q. So the only basis that the people on the patio were given citations was because they were at or near a location which was unlicensed which was selling alcohol?  A. They were loitering in a place of illegal occupation.  Q. And loitering consisted of being at or near an unlicensed place where alcohol was being provided, is that right?  A. Yes.

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Vicki Yost 12/20/2011

## 24 (Pages 90 to 93)

		1	,
	Page 9	0	Page 92
1	conclusion. Go ahead.	1	warrant and advised him how to get a 24-hour
2	MS. GIAQUINTO: You can answer.	2	
3	A. Regardless whether they were. They were issued	3	
4	the ticket regardless, yes.	4	
5	BY MR. GOODMAN:	5	advised him how he could go through the process
6	Q. And that practice of issuing tickets or citations	6	to ensure that he was complying with the law and
7	for proximity or being in a location, in or	7	his patrons weren't subject to ticketing or he
8	around a location where alcohol was being	8	wasn't exposed to any nuisance abatement activity
9	provided without a license, was something that	9	at his location.
10	had been happening and the way in which this law	10	Q. Do you have any documentation of those contacts
11	was enforced by the Vice Enforcement Unit before	11	with Aaron Timlin?
12	you got there, is that right?	12	A. I'd have to look.
13	A. I can't speak to what happened before I got	13	Q. Well, as you sit here today
14	there.	14	A. As I sit here today, no.
15	Q. Did you ever speak to Debra Fair about	15	Q. Let me finish my question, please. As you sit
16	A. You'd have to ask her her interpretation.	16	here today you do believe you have such
17	Q. That's not my question. My question is did you	17	documentation somewhere?
18	ever speak with her?	18	A. I could.
19	A. Yes.	19	Q. That would be in what form?
20	Q. Did she tell you about how these raids were	20	A. It could be in a variety of forms.
21	conducted?	21	Q. What did you tell Mr. Timlin about how he could
22	A. Yes.	22	get a license?
23	Q. What did she tell you?	23	A. The process in which to obtain a 24-hour permit,
24 25	A. I don't specifically recall.	24	how a non-profit would work, what he needed to
	Q. Did she tell you that they were conducted in the	25	do, who he needed to contact, gave him the number
	Page 91		Page 93
1	same way that the raid at 5141 Rosa Parks was	1	of who to contact at Liquor License.
2	conducted on May 31st?	2	So if they wanted to hold fund-raisers
3	A. I don't recall the specific exchange. I do know	3	his assertion was that they wanted to hold
4	we had a general conversation.	4	fund-raisers, they were raising money and my
5	Q. Was it your understanding when you became the	5	comment was that you're allowed to get 12 in a
6	commanding officer of this unit did you change	6	year. You only have these events supposedly once
7	the manner or way in which these raids were	7	a month and that the 24-hour permit process would
8	conducted?	8	allow him to do fund-raisers in a legal form and
9 .	A. In some cases, yes.	9	he kind of joked that that was kind of besides
10 11	Q. How?	10	the point.
12	A. We actually started to try to reach out to	11	Q. How was that a joke?
13	places. In lieu of executing search warrants we tried to reach out to locations and advise them	12	A. He seemed to appreciate the unlawfulness of the
14	of other ways to obtain a 24-hour permit or	13	activity and he declined my offer of assistance.
15	something of that nature.	14_	Q. How-many-times did-you-have conversations with
16	Q. How many such instances of reaching out can you	15	him about this?
17	recall?	16	A. He showed up the night we executed the search
18	A. More probably more than 10.	17 18	warrant and I had a long conversation outside
19	O Named at 11' 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	19	again about how to do it again, even after we
20	1!	20	executed the search warrant, about how it could
21	A DT at the state	21	be proper, how to lawfully proceed if he wanted to continue to host these types of events.
	· · · · · · · · · · · · · · · · · · ·	l	commue to nost these types of events.
22	Q. Give me an example, if you would, of one of those	22	() Flow many times did you talk to him haffan Har
22 23		22 23	Q. How many times did you talk to him before that
	instances of reaching out?	23	night?
23	instances of reaching out?  A. An example is I talked to Aaron Timlin who runs	i	<ul><li>Q. How many times did you talk to him before that night?</li><li>A. I know I at least talked to him once. Probably only that once.</li></ul>

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Vicki Yost 12/20/2011

# 25 (Pages 94 to 97)

		1	
	Page 94		Page 96
1	Q. When?	1	Q. Do you recall any of it at all?
2	A. I don't specifically recall.	2	A. Not without reviewing it, no.
3	Q. Was it after you made your initial observation of	3	Q. Were there any changes with regards in policy
4	the CAID in March?	4	since when you became the commanding officer of
5	A. It was after I knew there was illegal activity	5	the unit with regard to who would be issued
6	occurring at that location, yes.	6	citations or tickets when a raid such as this was
7	Q. So that would have been after March of 2008, am I	7	conducted?
8	right?	8	A. Were there any changes
9	A. Yes. And prior to May 31 of 2008.	9	Q. In policy?
10	Q. Was it a telephone conversation or a face-to-face	10	A. In policy about who would get a ticket? Not to
11	conversation? What was it?	11	my knowledge.
12	A. I believe the first one was actually both of	12	Q. The practice of reaching out as you've described
13	them was face to face.	13	it and trying to talk to the proprietors of these
14	Q. You went over to the CAID and talked to him or	14	kind of operations was a policy change, is that
15	did he come to your office and speak with you?	15	right?
16	A. He didn't come to my office. He did not come to	16	A. I don't know if it's written policy, but it is an
17	my office.	17	informal practice that was a change in direction
18	Q. You went to the CAID?	18	to the best of my knowledge, yes.
19	A. I don't recall where we had the meeting.	19	Q. And who made the decision to change it that way?
20	Q. Was anyone else present?	20	A. I did.
21	A. I don't recall.	21	Q. Did you clear it with anybody, with anybody above
22	Q. So you've described ways in which you changed the	22	you in the chain of command?
23	practices of the Vice Enforcement Unit by	23	A. I'm sure I would have, but I don't specifically
24	reaching out to Aaron Timlin and others and	24	recall.
25	trying to help them to get 24-hour licenses to	25	Q. Did you advise the other officers who worked in
• • • • • • • • • • • • • • • • • • • •		-	**
	Page 95		Page 97
1.	sell alcohol, is that right?	1	your unit of this change?
2	A. If it was appropriate. That was the	2	A. They should have been aware.
3		3	
	recommendation, if it was the appropriate	1 -	Q. How should they have been aware?
4	recommendation. Otherwise we would discuss the	4	A. We had meetings. Another example, we had a
5	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.	1	A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar
5 6	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going	4	A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had
5 6 7	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going to	4 5	A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had meetings with them and whatnot.
5 6 7 8	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going to  A. I told them how to come into compliance with the	4 5 6	A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had
5 6 7 8 9	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going to  A. I told them how to come into compliance with the law and then if they did not, that there would be	4 5 6 7	A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had meetings with them and whatnot.  So these meetings were secretive in nature.
5 6 7 8 9	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going to  A. I told them how to come into compliance with the law and then if they did not, that there would be enforcement activity.	4 5 6 7 8 9	A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had meetings with them and whatnot.  So these meetings were secretive in nature.  Q. Were not secretive?
5 6 7 8 9 10	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going to  A. I told them how to come into compliance with the law and then if they did not, that there would be enforcement activity.  Q. That was a change in policy also?	4 5 6 7 8 9 10	<ul> <li>A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had meetings with them and whatnot.  So these meetings were secretive in nature.</li> <li>Q. Were not secretive?</li> <li>A. Were not.</li> </ul>
5 6 7 8 9 10 11	recommendation. Otherwise we would discuss the illegal activity and impending enforcement.  Q. In other words, you warn them that you were going to  A. I told them how to come into compliance with the law and then if they did not, that there would be enforcement activity.  Q. That was a change in policy also?  A. To the best of my knowledge, yes.	4 5 6 7 8 9 10 11	<ul> <li>A. We had meetings. Another example, we had a meeting with various motorcycle clubs similar where they were having blind pig activity, we had meetings with them and whatnot. So these meetings were secretive in nature. </li> <li>Q. Were not secretive?</li> <li>A. Were not.</li> <li>Q. And those meetings occurred at your office, at</li> </ul>
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Vicki Yost 12/20/2011

26 (Pages 98 to 101)

	20 (1ages	,	00 101/
	Page 98		Page 100
1	for non-profits that allowed them to get a	1	you as to how it is to be decided that a certain
2	24-hour liquor license 12 times a year, something	2	officer will sign a certain person's citation, is
	like that, is that right?	3	that right?
3	, ,	i	A. Excuse me?
4	A. Yes.	4	
5	Q. Is it your testimony here that had he gotten such	5	Q. In other words, let's take Sgt. Turner as an
6	a license this raid never would have happened on	6	example. How does what guidelines does Sgt.
7	May 31, 2008?	7	Turner use to determine who's going to sign a
8	A. Had he gotten a proper liquor license and not	8	citation or a ticket for any particular patron?
9	sold after hours this raid would not have	9	A. You'd have to ask him.
10	occurred.	10	Q. You don't give him any general approach as to how
11	Q. One of those 24-hour licenses?	11	you do that?
12	A. Correct.	12	A. I'll reiterate, you'd have to ask him. I do not
13	MR. GOODMAN: I would like to take a	13	micro-manage my sergeants.
14	brief break if we could. I'm keeping in mind	14	Q. Let's take just an example, Defendant 81 at the
15	your concerns about your time.	15	top of Page 5 oh, no, that's Timlin, I don't
16	(A recess was taken and Mr. Ashford	16	want to use him.
17	not present for rest of deposition).	17	Let's take Defendant 59 at the top of
18	BY MR. GOODMAN:	1.8	Page 1, Neil Matouka. He was charged with
19	Q. Taking a look I want you to go back to Exhibit	19	loitering in a place of illegal occupation by a
20	4. Let's take one of the withdraw that	20	police officer J. Cobb-Sanders.
21	question.	21	You know that officer?
22	Did you yourself sign any of the	22	A. Vaguely.
23	citations that were issued that night to any of	23	Q. Did that officer work for Vice Enforcement at
24	the people?	24	that time or under your command at that time?
25	A. I believe so.	25	A. I don't think she was assigned to Vice
	Page 99		Page 101
я		1	Enforcement, no.
1 2	<ul><li>Q. Can you find any of those references in here?</li><li>A. 1 and 3.</li></ul>	2	Q. What would have been the basis for Officer
		3	Cobb-Sanders deciding that Mr. Neil Matouka had
3 -	Q. These would be the engagers? A. Yes.	4	violated the law if you can testify as the
4			commanding officer of this
5	Q. Any of the how about any of the patrons, did	5	A. You'd have to ask Officer Cobb-Sanders. I can't
6	you sign any for any of the patrons?	1	
7	A. I don't believe so, but let me look. It does not	7	speak to what her rationale was.
8	appear so.	8	Q. Would it be based upon the fact that Matouka was
9	Q. Now, going to the processing of the patrons after	9	present at the time?
10	the raid was executed, after the warrant was	10	A. You'd have to ask her, she issued the ticket.
11	executed and the raid occurred how was it decided	11	Q. So you have no idea as to why these people were
12,			
13	which officers would sign the citations for	12	or were not given citations?
	individual patrons?	13	A. You asked me about a specific individual and what
14	individual patrons?  A. That would have been determined by probably the	13 14	A. You asked me about a specific individual and what     an officer's specific understanding was
15	individual patrons?  _A. That would have been determined by probably the supervisor inside.	13 14 15	A. You asked me about a specific individual and what     an officer's specific understanding was     Q. Yeah.
15 16	individual patrons?  A. That would have been determined by probably the supervisor inside.  Q. Who was the supervisor inside?	13 14 15 16	A. You asked me about a specific individual and what     an officer's specific understanding was     Q. Yeah.     A when they issued the ticket. You'd have to
15 16 17	<ul> <li>individual patrons?</li> <li>A. That would have been determined by probably the supervisor inside.</li> <li>Q. Who was the supervisor inside?</li> <li>A. I believe it would be Sgt. Turner.</li> </ul>	13 14 15 16 17	A. You asked me about a specific individual and what an officer's specific understanding was     Q. Yeah.     A when they issued the ticket. You'd have to ask the officer what her specific understanding
15 16 17 18	individual patrons?  A. That would have been determined by probably the supervisor inside.  Q. Who was the supervisor inside?  A. I believe it would be Sgt. Turner.  Q. So you had nothing to do with this process?	13 14 15 16 17	<ul> <li>A. You asked me about a specific individual and what an officer's specific understanding was</li> <li>Q. Yeah.</li> <li>A when they issued the ticket. You'd have to ask the officer what her specific understanding is.</li> </ul>
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Vicki Yost 12/20/2011

### 27 (Pages 102 to 105)

	27 (Fages	102	20 105/
	Page 102		Page 104
1	Q. You testified earlier that there are times when	1	A. If information comes to my attention that
2	people are not given citations for loitering in a	2	consideration or exercise of that discretion is
3	place of illegal occupation such as if they're a	3	warranted.
4	minor. Do you remember that?	4	Q. How is that information brought to your
5	A. There may be exceptions, yes.	5	attention?
6	Q. How are those exceptions taken into account by	6	A. It would depend on the circumstances. Like I
7	the arresting officers in a raid such as this?	7	said, in this case I don't recall anything that
8	A. You'd have to ask the officers who issued the	8	came to my attention that drew my review or
9	tickets. They were not the arresting officers,	9	consideration.
10	but they were the officers who issued the	1.0	Q. Is there some point at which a decision is made
11	tickets.	11	that everybody who is on the premises at a
12	Q. Right, the officers who issued the tickets. So	12	particular time after a warrant has been executed
13	as the commanding officer, you have no	13	and the raid has occurred is to receive a
14	decision-making authority with regard to whether	14	citation?
15	these people are or are not given citations?	1.5	A. The people who are loitering in a place of
16	A. You didn't ask me that.	16	illegal occupation would be cited.
17	Q. That's what I'm asking now.	17	Q. Is there an order given? You're the commanding
18	A. As the commanding officer I would have discretion	18	officer. Is there an order given by you saying
19	that I could certainly provide an exception for	19	to either your sergeants or the officers who were
20	if I thought it was valid.	20	working under them, "Everybody who is here is to
21	I don't recall providing any said	21	be given a citation"?
22	special circumstances here.	22	A. I don't know that there's an order. That was a
23	Q. How is that description brought into play in a	23	practice.
24	raid such as this one? How is your discretion	24	Q. And that practice at some point after the raid
25	called upon?	25	had occurred did someone say to you, "Should we
			in the country and the country
	A STATE OF THE STA		
	Page 103		Page 105
1	Page 103 A. Mine?	1	Page 105 set up the processing of these particular
2	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the	1 2	Page 105 set up the processing of these particular people"?
2 3	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.	1 2 3	Page 105 set up the processing of these particular people"? A. I don't recall.
2 3 4	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.  A. All the officers —	1 2 3 4	Page 105 set up the processing of these particular people"? A. I don't recall. Q. Did you order people, "All right, you can now
2 3 4 5	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.  A. All the officers MS. GIAQUINTO: Object to foundation	1 2 3 4 5	Page 105  set up the processing of these particular people"?  A. I don't recall.  Q. Did you order people, "All right, you can now start processing people"? Did you issue that
2 3 4 5 6	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.  A. All the officers —  MS. GIAQUINTO: Object to foundation here. Did she use that discretion in this	1 2 3 4 5	Page 105  set up the processing of these particular people"?  A. I don't recall.  Q. Did you order people, "All right, you can now start processing people"? Did you issue that kind of command?
2 3 4 5 6 7	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.  A. All the officers MS. GIAQUINTO: Object to foundation here. Did she use that discretion in this particular raid?	1 2 3 4 5 6 7	Page 105 set up the processing of these particular people"?  A. I don't recall.  Q. Did you order people, "All right, you can now start processing people"? Did you issue that kind of command?  A. I was one of the UC officers. The supervisor in
2 3 4 5 6 7 8	Page 103  A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.  A. All the officers  MS. GIAQUINTO: Object to foundation here. Did she use that discretion in this particular raid?  BY MR. GOODMAN:	1 2 3 4 5 6 7 8	Page 105 set up the processing of these particular people"?  A. I don't recall.  Q. Did you order people, "All right, you can now start processing people"? Did you issue that kind of command?  A. I was one of the UC officers. The supervisor in charge of entry would have determined when it was
2 3 4 5 6 7 8 9	A. Mine?  Q. Yeah. You say you have the discretion as the commanding officer.  A. All the officers MS. GIAQUINTO: Object to foundation here. Did she use that discretion in this particular raid?  BY MR. GOODMAN: Q. That's where we're go ahead.	1 2 3 4 5 6 7 8 9	Page 105 set up the processing of these particular people"? A. I don't recall. Q. Did you order people, "All right, you can now start processing people"? Did you issue that kind of command? A. I was one of the UC officers. The supervisor in charge of entry would have determined when it was safe and after that the supervisor which would
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Vicki Yost 12/20/2011

# 28 (Pages 106 to 109)

	28 (Pages	T00	to 109)
	Page 10	6	Page 108
1	recall any discussions that were happening in	1	is can an officer enter a blind pig in a UC
2	2008.	2	capacity without telling his supervisor, the
3	DEPOSITION EXHIBIT 6	3	answer would be that they should not.
4	part of standard operation procedures	4	Q. And that was the practice or policy of your unit
5	WAS MARKED BY THE REPORTER	5	back on May 31, 2008, right?
б	FOR IDENTIFICATION.	6	A. Yes.
7	Q. Can you identify what's been marked as Exhibit 6?	7	Q. Let me just say for the record I'll represent to
8	A. Looks to be part of the standard operating	8	you that this policy has been produced to us as
9	procedures for Vice Enforcement, but that's what	وا	the policy that was in place at that time.
10	it appears to be.	10	Now, if that's wrong, you're here to
11	Q. And do you know who wrote this policy?	11	tell me that. I just need to know it from you.
12	A. Like I said, the SOPs were revised. At what	12	So just as background, this is what we've been
13	point, this doesn't indicate so not sure.	13	given, this is what we know.
14	Q. Was this the written policy that was in place at	14	A. Okay.
15	the time of the raid on CAID on May 31, 2008?	15	Q. And if I'm wrong or somebody gave this to us and
16	A. Without looking at something further, no, I can't	16	they're wrong, you let us know, that's all I'm
17	tell.	17	asking.
18	Q. Does this fairly on the front of this exhibit	18	A. I'm only stating that when I don't know a
19	it says there's a caption called, "Target	19	timeline or when something was published, I'm
20	information," do you see that?	20	merely acknowledging that because I swore to tell
21	A. Yes.	21	the truth.
22	Q. It says here,	22	Q. Of course. Now, this under "Target information"
23	"Under no circumstances shall any	23	uses the phrase "enter an illegal establishment
24	officer enter an illegal establishment	24	for purpose of discovery."
25	for purpose of discovery without prior	25	What does that mean? What is the
	Page 107	7	Page 109
1	notification to and receiving approval	1	purpose of discovery? Does that just mean an
2	from his immediate supervisor."	2	undercover operation?
3	Was that the policy at the time of the	3	A. That's my interpretation of it, yes.
4	CAID raid?	4	Q. And then it says under no withdraw that.
5	A. Again, three and a half years ago I don't recall.	5	Here it says withdraw that.
6	Q. Was that the practice at the time of the CAID	1.	
7		6	Then it says, "Under no circumstances
8	raid?	7	Then it says, "Under no circumstances shall a target be raided without prior
_			shall a target be raided without prior
9	raid?	7	
	raid? A. Same answer.	7 8	shall a target be raided without prior notification and receiving approval from the OIC
9	raid?  A. Same answer.  Q. So is it possible that officers could enter an illegal establishment for purposes of discovery without approval from a supervisor?	7 8 9	shall a target be raided without prior notification and receiving approval from the OIC or their designee."
9 10	raid?  A. Same answer.  Q. So is it possible that officers could enter an illegal establishment for purposes of discovery	7 8 9 10	shall a target be raided without prior notification and receiving approval from the OIC or their designee." Now, OIC, I take it, means officer in
9 10 11	raid?  A. Same answer.  Q. So is it possible that officers could enter an illegal establishment for purposes of discovery without approval from a supervisor?  A. To my so your assertion is can officers enter an illegal establishment without telling a	7 8 9 10	shall a target be raided without prior notification and receiving approval from the OIC or their designee." Now, OIC, I take it, means officer in charge, right?
9 10 11 12	raid?  A. Same answer.  Q. So is it possible that officers could enter an illegal establishment for purposes of discovery without approval from a supervisor?  A. To my so your assertion is can officers enter an illegal establishment without telling a supervisor?	7 8 9 10 11	shall a target be raided without prior notification and receiving approval from the OIC or their designee."  Now, OIC, I take it, means officer in charge, right?  A. Yes.
9 10 11 12 13	raid?  A. Same answer.  Q. So is it possible that officers could enter an illegal establishment for purposes of discovery without approval from a supervisor?  A. To my so your assertion is can officers enter an illegal establishment without telling a supervisor?  Q. I'm just trying to figure this out. You're	7 8 9 10 11 12	shall a target be raided without prior notification and receiving approval from the OIC or their designee." Now, OIC, I take it, means officer in charge, right? A. Yes. Q. And in this particular instance with reference to the CAID raid on May 31, 2008 who was the OIC? A. I was, of Vice Enforcement.
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Vicki Yost 12/20/2011

#### 29 (Pages 110 to 113)

	29 (Pages	ŤTO	TO 113)
	Page 110		Page 112
1	authorized was the decision to issue a citation	1	said.
2	to everybody who was there on the premises as a	2	BY MR. GOODMAN:
3	patron, is that right?	3	Q. As soon as the raid starts people who were in the
4	A. Yes.	4	establishment are ordered to get to the ground?
		5	A. What I said is the location was under the control
5	Q. Now, there is the next part of this document is	1	•
6	called "Planning the raid" and it says,	6	of the raid team until the situation was declared
7	"The OIC shall be updated on the	7	safe.
8	planned raid. The raid commander shall	8	How they do that entry is the
9	have operational control over the raid	9	determination of the raid team.
10	and designate assignments	10	Q. So whether or not they get down on the ground or
11	of personnel,"	11	not during the raid or during the entry, you're
12	Do you see that language?	12	not going to testify about that or you don't
13	A. Yes.	13	know, is that right?
14	Q. Who was the raid commander?	14	A. I didn't say I didn't know. I know what I did, I
15	A. It would have been one of the Narcotics crews.	15	know what I observed.
16	Q. Do you remember who they were?	16	Q. What did you do?
17	A. No.	17	A. I got down.
1.8	Q. But it would not have been you, is that right?	18	Q. You were told to get down, right?
19	A. As I said before, the entry team has control over	19	A. They came in, said, "Police - search warrant" and
20	that entry, in that case the raid commander.	20	I got down. That's what most of the people
21	Q. Then turning the document over, it says	21	around me had done. I don't specifically recall
22	"The raid commander and the deputy raid	22	them saying "get down", but I do know that that's
23	commander when conducting a raid shall	23	what I did as well as the sergeant as well as
24	assign personnel tasks according to as	24	other people in the area I could see.
25	follows:"	25	Q. And by getting down, what do you mean?
2,5	10110W5.	27	Q. And by gening down, what do you mean:
	Page 111		Page 113
1	And then there's a number of tasks that	1	Page 1.13  A. I don't remember if I went seated or went lying
1 2			
	And then there's a number of tasks that	1	A. I don't remember if I went seated or went lying
2	And then there's a number of tasks that are designated here. That again is a reference	1 2	A. I don't remember if I went seated or went lying down.
2 3	And then there's a number of tasks that are designated here. That again is a reference to the Narcotics Unit?  A. In this instance it would be a reference to the	1 2 3	<ul><li>A. I don't remember if I went seated or went lying down.</li><li>Q. At some point you got up and Sgt. Buglo got up, right?</li></ul>
2 3 4	And then there's a number of tasks that are designated here. That again is a reference to the Narcotics Unit?  A. In this instance it would be a reference to the entry team which was the Narcotics Unit.	1 2 3 4	<ul><li>A. I don't remember if I went seated or went lying down.</li><li>Q. At some point you got up and Sgt. Buglo got up, right?</li><li>A. Right.</li></ul>
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30 (Pages 114 to 117)

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	Page 114		Page 116
1	Q. Did you see people who had to kneel at some	1	generalization of something conducted by people
2	point? Did you see anybody who was kneeling?	2	other people than me.
3	A. Not that I can recall, no.	3	Q. As the commanding officer at that time of this
4	Q. Did you see anybody who was lying on the floor?	4	unit your experience was that if you tell people
5	A. Yeah.	5	to lie down, they are to stay down until you tell
6	Q. Did you see other people who were sitting?	6	them they can move, wouldn't that be correct?
7	A. I don't recall.	7	A. I don't think that changes anything.
8	Q. You're aware of the fact, of course, that people	8	Q. As a police officer, isn't that correct, as a law enforcement officer?
9	who are lying on the floor are not going to be	9	
10	allowed to stand up or even sit up until an	10 11	<ul> <li>A. You're asking me to interpret someone's expectations.</li> </ul>
1 <b>1</b> 12	officer tells them, "It's okay, it's okay for you	12	MS. GIAQUINTO: No, on your experience,
13	to stand up or sit up," isn't that right?  MS. GIAQUINTO: Objection, foundation.	13	in your experience what would you do? What is
14	You can answer if you can.	14	your expectation in your experience?
15	A. Are you asking me a hypothetical or are you	15	A. My expectation is that they would comply with the
16	asking me what I observed?	16	verbal command given.
1.7	BY MR. GOODMAN:	17	BY MR. GOODMAN:
18	Q. Let's start with what you observed. Did you	18	Q. So if they're told to lie down, they're going to
19	observe that?	19	stay down until they're told to move if you're
20	A. When I left the people were still either seated	20	the officer in charge right there and commanding
21	or lying down.	21	them, right?
22	Q. Was anybody asking, "Can I get up, can I leave"?	22	A. That's not necessarily the case, no. You're
2.3	A. Not that I recall.	23	making this very cut and simple like you say
24	Q. Was anybody asking, "Can I move"?	24	"don't move" and they freeze. That does not
25	A. Not that I specifically recall.	25	happen that way.
	Page 115		Page 117
_	-	_	
1	Q. But as a matter of course and practice of your	1	Q. If a person intends to comply with what they're
2	department you understand that no one is going to	2	being told
3	be allowed to either sit up or stand up until an	3	A. They may put their go ahead, sorry.
4	officer tells them they can, isn't that right?	4	Q. Go ahead, say whatever you want.
5	A. I don't think that's a fair characterization.	5	A. If they just because they intend to comply
6	Q. In what way is that unfair?	6	doesn't mean they're not going to they may
7	A. Well, you're asking, for one, me to speculate on	7 8	raise their hand, they may ask questions, they could turn, they could try to get up.
8 9	what happened when I wasn't there and as a matter of course there is no matter of course in law	9	Compliance has very different levels.
10		10	Q. But your expectation is that they're going to
11	unfold in manners that you wouldn't expect and	11	stay where they are located until
12	people aren't necessarily compliant.	12	A. It would be my hope that they would comply and
13	So for me to guess at what answer	13	that they would stay until the area was deemed
14	you're going for here, I can't.	14	safe.
15	Q. If someone is compliant and does what they're	15	Q. And if they don't stay where they're told, you're
16		16	going to charge them with some kind of violation,
17	conduct a raid such as this to stay where they	17	are you not?
18	· · · · · · · · · · · · · · · · · · ·	18	A. Not that I'm aware of.
19	•	19	Q. Obstructing your operation as a police officer,
20	•	20	could be doing a number of things, right?
21		21	Somebody moves and you say "don't move" and they
22		22	keep moving, don't you expect them to stop and if
23		23	they don't you're going to charge them with
24			
24	during that time.	24	something?
25		24 25	something? A. Not necessarily, no.

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#### 31 (Pages 118 to 121)

	31 /14505	77.70	to 121)
	Page 118		Page 120
1	Q. So you think that people who are in this kind of	1	isn't that right?
2	situation are free to move around, is that right?	2	A. Yes.
3	A. I didn't say that.	3	Q. Which means they have to stay in a building if
4	Q. You don't think they're free to move around, you	4	they're in a building, right?
5	think they are not free to move around?	5	A. They have to stay, yes.
6	A. You'd have to ask them what they thought.	6	Q. And sometimes it can take an hour or two hours or
7	Q. No, I'm asking you as a police officer at that	7	more before they're processed if it's a large
8	time	8	people of group, isn't that right?
9	MS. GIAQUINTO: Listen to the question.	9	A. It could.
10	BY MR. GOODMAN:	10	Q. Now, on the back of this exhibit that we've been
11	Q if you're telling people, "This is a raid,	11	talking about there's something called "Raid
12	everybody get down, you're going to be processed,	12	Procedures".
13	don't move" you expect them let me put it this	13	Have you ever seen this before?
14	way.	1.4	A. Yes,
15	It is your judgment that they are not	15	Q. This document or something like it?
16	free to move around wherever they want, isn't	16	A. Yes.
17	that right?	17	Q. What does it mean when the raid procedures are
18	A. Maybe I don't understand the question.	18	listed? What does that advise you as law
19	Q. I'll try and rephrase it. If you don't	19	enforcement officers was to what is to happen and
20	understand, you can tell me you don't understand,	20	what is expected?
21	I can try to rephrase it, okay.	21	A. What was the question?
22	And here's the rephrasing of it. If	22	Q. Are these instructions to you as the OIC about
23	you're in charge of a raid and you tell people to	23	how to go about handling the raid?
24	get down and stay where they are, it is your	24	A. Yes,
25	understanding as a law enforcement officer that	25	Q. So the first thing it says is you get a search
	Page 119		Page 121
1	•	1	Page 121
1 2	they're not free to move around and go wherever	1 2	Page 121 warrant, right?
1 2 3	they're not free to move around and go wherever they want or leave the building, isn't that	2	Page 121 warrant, right? A. Yes.
2	they're not free to move around and go wherever they want or leave the building, isn't that right?	2 3	Page 121 warrant, right? A. Yes. Q. Then you engage in surveillance according to
2 3	they're not free to move around and go wherever they want or leave the building, isn't that right?  A. It's my understanding they would comply with the	2	Page 121 warrant, right? A. Yes. Q. Then you engage in surveillance according to this, right?
2 3 4	they're not free to move around and go wherever they want or leave the building, isn't that right?  A. It's my understanding they would comply with the directive, yes.	2 3 4	Page 121 warrant, right? A. Yes. Q. Then you engage in surveillance according to this, right? A. Correct.
2 3 4 5	they're not free to move around and go wherever they want or leave the building, isn't that right?  A. It's my understanding they would comply with the	2 3 4 5	Page 121 warrant, right? A. Yes. Q. Then you engage in surveillance according to this, right?
2 3 4 5	<ul><li>they're not free to move around and go wherever they want or leave the building, isn't that right?</li><li>A. It's my understanding they would comply with the directive, yes.</li><li>Q. And they're not free to move around?</li><li>A. Correct.</li></ul>	2 3 4 5 6	Page 121  warrant, right?  A. Yes.  Q. Then you engage in surveillance according to this, right?  A. Correct.  Q. And then there's a briefing?  A. Yes.
2 3 4 5 6 7	they're not free to move around and go wherever they want or leave the building, isn't that right?  A. It's my understanding they would comply with the directive, yes.  Q. And they're not free to move around?	2 3 4 5 6 7	warrant, right? A. Yes. Q. Then you engage in surveillance according to this, right? A. Correct. Q. And then there's a briefing? A. Yes. Q. And while we're on the briefing, how many
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#### 32 (Pages 122 to 125)

	Page 122		Page 124
1	Q. On the day of the raid which would have been May	1	Q. So you disagree with that use of the word
2	30 or 31?	2	"prisoner", correct?
3	A. Yes.	3	A. Well, I think the problem here is we're talking
4	Q. Was there or were there any notes taken, minutes,	4	about two different things. Prisoner processing
5	any documentation of that meeting?	5	may apply and some of the raids we do end up
6	A. Not to my knowledge.	6	arresting folks and prisoner processing does
7	Q. Who was there?	7	apply.
8	A. Would have been the Vice crew.	8	In some cases, it's just more of a
9	<ul> <li>Q. Which consisted of the people we've already</li> </ul>	9	detaining processing.
10	mentioned?	10,	Q. Do you agree well, let me put it this way.
11	A. Yes.	11	Was this policy with regards to
12	Q. So going back now to raid procedures, we've	12	"prisoner processing" in place at the time of the
1.3	gotten through the briefing. Then there are the	13	CAID raid which would have been May 31, 2008?
14	raid entry and the assignments for the raid	14	A. I don't recall.
15	entry, is that right?	15	Q. Wasn't it the case that the disposition with
16	A. Yes.	16	regards to each patron/loiterer as of May 31,
17	Q. Then the next section is called "Prisoner	17	2008 was at the discretion of the raid commander
18	Processing", is that right?	18	which would have been you?
19	A. Yes.	19	A. I think that would be fair.
20	Q. And that refers to information being obtained on	20	Q. Now, who was which unit was responsible for
21	the patrons and loiterers or patrons who are	21	the processing of the patrons/loiterers?
22	described in parentheses as loiterers, correct?	22	A. You would have to ask Sgt. Turner or someone who
23	A. I'm sorry, what?	23	made that assignment.
24	Q. It says, "Information on all patrons (loiterers)	24	Q. But it was handled by Sgt. Turner who was from
25	shall he recorded before a disposition is made of	25	Vice Enforcement, isn't that right?
	Page 123		Page 125
1	Page 123 these individuals."	1	Page 125  A. He would have been designated, yes.
1 2	these individuals."  A. Yes, that's what it says.	1 2.	<ul><li>A. He would have been designated, yes.</li><li>Q. And the officers who were taking the information</li></ul>
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Vicki Yost 12/20/2011

#### 33 (Pages 126 to 129)

	33 (Pages	TZ6	to 129)
	Page 126		Page 128
1	A. Not necessarily,	1	safe if they on their face or it's apparent they
2	Q. How is the decision made whether a person is	2	present some threat or possibility of a threat,
3	going to be searched or not?	3	is that right?
4	A. By the individual officer.	4	A. They can be searched for officer safety, yes.
5	Q. Which individual officer?	5	Q. Any other reasons that you can think of?
6	A. Whoever is making the determination if they were	6	A. They would all evolve around officer safety for
7	searched.	7	the most part.
8	Q. Well, there are individual officers assigned to	8	Q. Now, after the raid is considered safe they also
9	each of the citations. There were also	9	can be searched, right?
10	individual officers who were involved in the	10	A. They can be.
11	processing of the patrons/loiterers.	11	Q. And who makes the decision as to whether they are
12	Which one makes the decision as to	12	to be searched after the raid is considered safe?
13	whether the person is going to be searched or	13	A. It would probably be the sergeant in charge of
14	not?	14	the processing.
15	A. You confused me again.	15	Q. That would be Sgt. Turner in this particular
16	Q. I'm saying you say that the officer is the person	16	instance?
17	who makes the decision about whether someone is	17	A. I believe it was Sgt. Turner.
18	going to be searched.	18	Q. So are you saying that people that there is no
19	My only question is which officer makes	19	practice or policy and was no practice or policy
20	that decision?	20	in the department at that time to search
21	A. It would be the determination as the raid was	21	everybody on the premises, but the decisions were
22	conducted as to how if people were to be	22	made on a person-by-person basis?
23	searched and how were they to be searched.	23	A. I think there was a practice of searching the
24	Q. That's the decision that's made. Who's it made	24	individuals. I'm not going to say that there
25	by?	25	wouldn't have been exceptions to that.
	•		
	Page 127		Page 129
-1	Page 127		Page 129
1.	A. How that process would take place?	1	Q. And the practice was to search everybody unless
2	A. How that process would take place? Q. Yeah.	2	Q. And the practice was to search everybody unless there was some reason for an exception, is that
2 3	<ul><li>A. How that process would take place?</li><li>Q. Yeah.</li><li>A. It would be the entry team who would be</li></ul>	2 · 3	Q. And the practice was to search everybody unless there was some reason for an exception, is that right?
2 3 4	<ul><li>A. How that process would take place?</li><li>Q. Yeah.</li><li>A. It would be the entry team who would be responsible for declaring this place safe.</li></ul>	2 3 4	<ul><li>Q. And the practice was to search everybody unless there was some reason for an exception, is that right?</li><li>A. A cursory search, yes.</li></ul>
2 3 4 5	<ul> <li>A. How that process would take place?</li> <li>Q. Yeah.</li> <li>A. It would be the entry team who would be responsible for declaring this place safe.</li> <li>Q. Once it's declared safe — after it's declared</li> </ul>	2 3 4 5	<ul><li>Q. And the practice was to search everybody unless there was some reason for an exception, is that right?</li><li>A. A cursory search, yes.</li><li>Q. And what does a cursory search consist of?</li></ul>
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12/20/2011

#### 34 (Pages 130 to 133)

	34 (Pages	130	to 133)
	Page 130		Page 132
1	that right?	1	I don't even know if it was reviewed by them or
2	A. Yes.	2	someone else without looking at it.
3	Q. There has to be probable cause to make such a	3	Q. Other than the warrant itself and the affidavit,
4	charge, is that right?	4	there's no other documentation that you can think
5	A. Yes.	5	of?
6	Q. Who made the decision of probable cause with	6	A. Not that I can think of.
7	regard to each of these individuals who was	7	Q. Now, the exhibits you have in front of you which
8	issued a citation of loitering on that date?	8	is, I think, 6, has the nuisance abatement
9	A. As to each of them?	9	statute which you mentioned, it contains the
10	Q. Yeah.	10	language of the nuisance abatement statute, is
11	A. Probably me.	11	that right?
12	Q. In this particular raid a number of vehicles were	12	A. Yes.
13	confiscated, is that right?	13	Q. And you are familiar with that statute, is that
14	A. I believe so.	14	right?
15	Q. Were you told at the time that the raid was going	15	A. Yes.
16	on that the vehicles were being confiscated?	16	Q. And you were familiar with it on May 31, 2008, is
17	A. While it was going on?	17	that correct?
18	Q. After?	18	A. Yes.
19	A. Subsequent to the raid I was aware that vehicles	19	Q. What is it in that statute, what language in that
20	were being confiscated, yes.	20	statute, that you believe authorizes you to
21	Q. How were you made aware of that?	21	confiscate people's vehicles?
22	A. It was a determination made to seize the	22	A. You'd have to read it in its totality, but
23	vehicles.	23	there's certainly a reference here to
24	Q. Who made that determination?	24	"buildings, vehicles, boats, aircraft" and
25	A. I did.	25	there's a reference to "manufacturing,
	Page 131		Page 133
	•		-
1	Q. What was that determination based on?	1	storing, possessing, transporting,
2	<ul><li>Q. What was that determination based on?</li><li>A. Based on the nuisance abatement statute and</li></ul>	1 2	storing, possessing, transporting, sale, keeping for sale, giving away,
2 3	<ul><li>Q. What was that determination based on?</li><li>A. Based on the nuisance abatement statute and conversation with the Wayne County Prosecutor's</li></ul>	1 2 3	storing, possessing, transporting, sale, keeping for sale, giving away, bartering, furnishing or otherwise
2 3 4	<ul><li>Q. What was that determination based on?</li><li>A. Based on the nuisance abatement statute and conversation with the Wayne County Prosecutor's Office.</li></ul>	1 2 3 4	storing, possessing, transporting, sale, keeping for sale, giving away, bartering, furnishing or otherwise disposing of narcotic and/or hypnotic
2 3 4 5	<ul><li>Q. What was that determination based on?</li><li>A. Based on the nuisance abatement statute and conversation with the Wayne County Prosecutor's Office.</li><li>Q. Who did you talk to at the Wayne County</li></ul>	1 2 3 4 5	storing, possessing, transporting, sale, keeping for sale, giving away, bartering, furnishing or otherwise disposing of narcotic and/or hypnotic drug as defined by law or any" — I
2 3 4 5 6	<ul><li>Q. What was that determination based on?</li><li>A. Based on the nuisance abatement statute and conversation with the Wayne County Prosecutor's Office.</li><li>Q. Who did you talk to at the Wayne County Prosecutor's Office?</li></ul>	1 2 3 4 5	storing, possessing, transporting, sale, keeping for sale, giving away, bartering, furnishing or otherwise disposing of narcotic and/or hypnotic drug as defined by law or any" — I don't know how to say that word
2 3 4 5 6 7	<ul> <li>Q. What was that determination based on?</li> <li>A. Based on the nuisance abatement statute and conversation with the Wayne County Prosecutor's Office.</li> <li>Q. Who did you talk to at the Wayne County Prosecutor's Office?</li> <li>A. I don't recall.</li> </ul>	1 2 3 4 5 6 7	storing, possessing, transporting, sale, keeping for sale, giving away, bartering, furnishing or otherwise disposing of narcotic and/or hypnotic drug as defined by law or any" — I don't know how to say that word "vinous, malt, brewed, fermented,
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35 (Pages 134 to 137)

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	Page 134		Page 136
1.	Q. But the statute is the source that allows you to	1	I believe. Go ahead and read through it. Let me
2	confiscate the vehicle, is that right?	2	know when you're done.
3	A. I don't know that this is the only source in the	3	A. Okay, I've had a cursory look.
4	statute or law. There is another excerpt. I	4	Q. Did you see that Mr. Mobley indicated that he had
5	don't know if it's the same one or a different	5	parked his vehicle a half a mile away from the
6	one on the forfeiture paperwork and based on my	6	location?
7	conversations with the Wayne County Prosecutor's	7	A. Can you direct me to it?
8	Office that the forfeiture of the vehicles,	8	Q. Yeah, sure, under III, at the bottom of the first
9	because they were used to further the endeavor,	9	paragraph, "The complainant stated the art
10	that they were to be seized.	10	gallery was raided and the vehicle was parked a
11	Q. Anything that was used to further the endeavor	11	half a mile away".
12	was to be seized, is that correct?	12	A. Okay.
13	A. The vehicles, the vehicles were specified. We	13	Q. Do you remember ever being told that before
14	could also seize, for instance, deejay equipment.	14	today?
15	Q. And what vehicles were seized on that date, if	15	A. If it was mentioned as part of the citizen
16	you know? Where were they located?	16	complaint, I don't recall.
17	A. There were quite a few vehicles. There was some	17	Q. Do you recall at the time anybody saying, "Hey,
18	in the parking lot, there were some on the	18	there's a guy here who says his car is half a
19	streets, there was some on the side street, could	19	mile away, should we go get it"?
20	have been located in or about that area.	20	A. No, I do not recall.
21	Q. About that area meaning within what range of	21	Q. You don't recall that being brought to your
22	distance?	22	attention?
23	A. Well, if you have cars strung out 100 yards, then	23	A. No.
24	you may have them strung out a quarter mile down	24	Q. If you had been told someone had a vehicle that
25	the road. It would be based on where the people	25	was half a mile away, would you have authorized
	the road. It would be based on white the people		
	Page 135	-	Page 137
1	Page 135	1	Page 137
1	Page 135 were exiting from those vehicles how far people	1	Page 137 its confiscation and tow?
	Page 135 were exiting from those vehicles how far people had to park away.		Page 1.37 its confiscation and tow? A. It would depend on the circumstances. If cars
1	Page 135 were exiting from those vehicles how far people	1 2 3	Page 137  its confiscation and tow?  A. It would depend on the circumstances. If cars were lined up bumper to bumper half a mile down
1 '2 3 4	Page 135 were exiting from those vehicles how far people had to park away.  Q. Was there an instance in which you were advised that there was a vehicle that was as far as half	1 2	Page 137  its confiscation and tow?  A. It would depend on the circumstances. If cars were lined up bumper to bumper half a mile down the street and they were all going to that
1 2 3	Page 135 were exiting from those vehicles how far people had to park away.  Q. Was there an instance in which you were advised that there was a vehicle that was as far as half a mile away, that somebody had driven a half a	1 2 3 4	Page 1.37  its confiscation and tow?  A. It would depend on the circumstances. If cars were lined up bumper to bumper half a mile down the street and they were all going to that location, then that would be appropriate, but if
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 135  were exiting from those vehicles how far people had to park away.  Q. Was there an instance in which you were advised that there was a vehicle that was as far as half a mile away, that somebody had driven a half a mile away and then managed to get over to the CAID location from there and that vehicle needed to be confiscated as well?  A. Not that I recall.  DEPOSITION EXHIBIT 7 inter-office memo, 3-11-10  WAS MARKED BY THE REPORTER FOR IDENTIFICATION.  Q. I've handed you what's been marked as Exhibit 7 and I'm going to ask you first of all if you can identify this, have you seen it before, and then take a moment to read it?  A. I don't recall seeing it before. It appears to be an inter-office memorandum regarding a citizen's complaint which I am the involved officer, allegation for procedure and the findings were exonerated.	1 2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 9 20 21 22 22	its confiscation and tow?  A. It would depend on the circumstances. If cars were lined up bumper to bumper half a mile down the street and they were all going to that location, then that would be appropriate, but if for say — well, so half a mile could be appropriate.  Q. Well, were cars parked bumper to bumper for a half a mile from 5141 Rosa Parks down the road, if you can recall?  A. I don't recall.  Q. They may have been, but you don't recall?  A. There were quite a few cars.  Q. How many? I have something that will help you with this.  A. Okay.  DEPOSITION EXHIBIT 8  CRISNET report, 6-2-08  WAS MARKED BY THE REPORTER  FOR IDENTIFICATION.  Q. Can you identify Exhibit 8?  A. It's a Detroit Police Department CRISNET report
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	were exiting from those vehicles how far people had to park away.  Q. Was there an instance in which you were advised that there was a vehicle that was as far as half a mile away, that somebody had driven a half a mile away and then managed to get over to the CAID location from there and that vehicle needed to be confiscated as well?  A. Not that I recall.  DEPOSITION EXHIBIT 7 inter-office memo, 3-11-10  WAS MARKED BY THE REPORTER FOR IDENTIFICATION.  Q. I've handed you what's been marked as Exhibit 7 and I'm going to ask you first of all if you can identify this, have you seen it before, and then take a moment to read it?  A. I don't recall seeing it before. It appears to be an inter-office memorandum regarding a citizen's complaint which I am the involved officer, allegation for procedure and the findings were exonerated.  Q. Right, and you never heard about this before?  A. I'm sure I did. It's a citizen's complaint.	1 2 3 4 5 6 7 8 9 0 1 1 2 1 3 1 4 1 5 6 1 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	its confiscation and tow?  A. It would depend on the circumstances. If cars were lined up bumper to bumper half a mile down the street and they were all going to that location, then that would be appropriate, but if for say — well, so half a mile could be appropriate.  Q. Well, were cars parked bumper to bumper for a half a mile from 5141 Rosa Parks down the road, if you can recall?  A. I don't recall.  Q. They may have been, but you don't recall?  A. There were quite a few cars.  Q. How many? I have something that will help you with this.  A. Okay.  DEPOSITION EXHIBIT 8  CRISNET report, 6-2-08  WAS MARKED BY THE REPORTER  FOR IDENTIFICATION.  Q. Can you identify Exhibit 8?  A. It's a Detroit Police Department CRISNET report regarding impounded vehicles.

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36 (Pages 138 to 141)

	36 (Pages	120	141)
	Page 138		Page 140
1	A. Yes.	1	Q. I'm asking you if you can answer hypothetically.
2	Q. And goes through to Vehicle Number 83 which means	2	If you can't answer that question, say you can't
3	there were 43 vehicles that were impounded that	3	answer it.
4	night, is that right?	4	A. Well, I'm having trouble with a hypothetical
5	A. Yes.	5	intertwined with a raid that has occurred.
6	Q. Did you ask every patron/loiterer who was	6	Q. My hypothetical is assuming for the moment
7	processed at the CAID location as to whether or	7	Mr. Mobley parked his car in a friend's driveway
8	not they drove there in a vehicle?	8	a half a mile away and then walked over to the
9	A. I didn't ask, no.	9	CAID from there and then was issued a citation.
10	Q. Did your crew ask that question?	10	Would his vehicle have been, in your
11	A. You'd have to ask them.	11	judgment, one that was used to further the
12	Q. Were they instructed to ask that question?	12	nuisance or was a part of the nuisance or the
13	A. They were instructed to identify the vehicles	13	illegal activity?
14	that were driven to that location.	14	A. With only concerning that limited information you
15	Q. And in so doing withdraw that question.	15	just gave me, probably not.
16	Once the vehicles were confiscated and	16	Q. How do you define what is used in furtherance of
17	towed were there still a lot of vehicles either	17	a nuisance or an illegal activity as you
18	in the parking lot or parked along the streets in	18	referenced it before?
19	the vicinity of the CAID?	19	A. It's based on whether that vehicle was involved
20	A. I don't believe so, no.	20	in bringing someone to that location that
21	Q. So if there were 43 vehicles that were	21	resulted in an activity occurring.
22	confiscated and towed, does that sound to you	22	Q. So something that conveyed them to the location
23	like vehicles that would have been backed up for	23	of the nuisance?
24	about a half a mile from the CAID location, 5141	24	A. Yeah, they brought the deejay equipment, they
25		25	
<i></i>	Rosa Parks?	43	prought the individuals, they prought the
		23	brought the individuals, they brought the
***************************************	Page 139		Page 141
1	Page 139  A. I certainly think it's possible. Depends on how	1	Page 141. patronage. Yes, they're used as a vehicle to get
1 2	Page 139  A. I certainly think it's possible. Depends on how they were parked.	1 2	Page 141 patronage. Yes, they're used as a vehicle to get them to that location.
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1 2 3 4 5 6	Page 139  A. I certainly think it's possible. Depends on how they were parked.  Q. If someone, in this case let's say Mr. Mobley, parked his car in his friend's driveway a half a mile away and walked from the friend's house over to the CAID and then was cited for loitering at	1 2 3 4 5	Page 141.  patronage. Yes, they're used as a vehicle to get them to that location.  Q. Inspector, did you see that a part of this Exhibit 7 which is the citizen's complaint included an interview with you?  A. It said it did, yes.
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I certainly think it's possible. Depends on how they were parked.  Q. If someone, in this case let's say Mr. Mobley, parked his car in his friend's driveway a half a mile away and walked from the friend's house over to the CAID and then was cited for loitering at the CAID, in your judgment as the commanding officer at that time —  MS. GIAQUINTO: Objection, foundation and form.  MR. GOODMAN: Let me finish the question.  BY MR. GOODMAN:  Q. In your judgment as commanding officer at that time would it have been appropriate and proper and within the guidelines of the nuisance abatement statute as you understood them to have confiscated and towed that person's vehicle?  MS. GIAQUINTO: Objection, form and foundation.  A. My problem with that question is you're asking me to speculate as to facts I don't know to be true	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	patronage. Yes, they're used as a vehicle to get them to that location.  Q. Inspector, did you see that a part of this Exhibit 7 which is the citizen's complaint included an interview with you?  A. It said it did, yes.  Q. Do you recall being interviewed?  A. Honestly, no.  Q. Do you know if the interview was recorded or not?  A. I believe it was, but just because I think I just read that it was.  Q. Is the synopsis of the interview with you as set forth in this exhibit, Exhibit 7, to the best of your knowledge accurate and correct?  A. Which synopsis what part of this report are you referring to?  Q. I'm now talking about Page 2 of the citizen's complaint where it says "Lt. Yost stated".  Turn the page here.  A. Okay.  Q. Is that an accurate recitation of what you said at the time to the investigator?

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Vicki Yost 12/20/2011

#### 37 (Pages 142 to 145)

	3/ (Pages	142	CO 145/
	Page 142		Page 144
1	purported in this document, accurate and correct	1	"Lt. Yost stated that as a result of
2	as far as you can tell today?	2 .	the sale of alcohol not being allowed
3	A. I don't recall the interview.	3	after 2 AM and location being an
4	Q. Well, are the things they report you as having	4	unlicensed establishment she notified
5	said accurate as reported in this document?	5	the raid crew to execute the search
6	A. You want me to say that something is accurate	6	warrant. The raid crew was shortly
7	when I don't remember having the interview? I	7	notified after 2:15 AM and they entered
8	can't do that.	8	at approximately 2:20 AM."
9	<li>Q. Okay. Do you have any reason to believe that</li>	9	Is that accurate?
10	anything that is reported in this statement is	10	A. As I previously stated, I don't recall who
11	inaccurate?	11	made the notification for the raid to go ahead,
12	A. I don't recall the interview.	12	and my recollection was it was approximately
13	Q. So you can't say one way or the other, is that	13	2:30.
14	right?	14	Q. When did you give this statement to the citizen's
15	A. I don't recall the interview.	15	complaint investigator for the OCI?
16	Q. I understand you don't recall the interview, but	16	A. Unless it says in here, I do not know.
17	there is a report of the interview that's set	17	Q. At the top of the exhibit it says March 11, 2010,
18	forth on this page.	18	is that correct?
19	I'm saying does anything that is on	19	A. It says what?
20	this page as far as you can tell attributed to	20	Q. Turn to the front page.
21	statements that you have made inaccurate?	21	A. That's the date that the memorandum was
22	A. The reports making reference to statements I made	22	generated, not necessarily the interview was
23	for an interview I don't recall, and you want me	23	conducted.
24 25	to your question is I don't recall what the interview was.	24 25	Q. Right, correct, that's right, and so my question is the statement this is the date that the
43	interview was.	<u> </u>	is the statement — this is the date that the
	Page 143		Page 145
1	Q. It says here that "she" that's you,	1	memorandum was prepared and the memorandum was
2	" stated that vehicles were seized under her	2	prepared after presumably the investigator spoke
3	direct order."	3	with you, is that right?
4	Is that an accurate statement?	4	A. Right.
5	A. I don't know if I said that to them or not.	5	Q. So that on or before March 11, 2010 your
6	Q. I'm not now asking whether you said these things.		
		6	recollection of events from May of 2008 would
7	I'm asking whether what's said is true, that	7	recollection of events from May of 2008 would have been fresher and better than they are today,
8	I'm asking whether what's said is true, that vehicles that were seized were seized under your	7	recollection of events from May of 2008 would have been fresher and better than they are today, is that right?
8	I'm asking whether what's said is true, that vehicles that were seized were seized under your direct order?	7 8 9	recollection of events from May of 2008 would have been fresher and better than they are today, is that right?  A. They would have been fresher, yes.
8 9 10	I'm asking whether what's said is true, that vehicles that were seized were seized under your direct order?  A. Yes.	7 8 9	recollection of events from May of 2008 would have been fresher and better than they are today, is that right?  A. They would have been fresher, yes.  Q. Going back to the what we spoke about about
8 9 10 11	I'm asking whether what's said is true, that vehicles that were seized were seized under your direct order?  A. Yes.  Q. So the statements that are I'm not asking	7 8 9 10	recollection of events from May of 2008 would have been fresher and better than they are today, is that right?  A. They would have been fresher, yes.  Q. Going back to the what we spoke about about the vehicles that were used in furtherance of
8 9 10 11 12	I'm asking whether what's said is true, that vehicles that were seized were seized under your direct order?  A. Yes.  Q. So the statements that are I'm not asking whether you said these things. I'm asking you	7 8 9 10 11 12	recollection of events from May of 2008 would have been fresher and better than they are today, is that right?  A. They would have been fresher, yes.  Q. Going back to the what we spoke about about the vehicles that were used in furtherance of concerning illegal activity, if someone had taken
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38 (Pages 146 to 149)

	Page 146	A THE STATE OF THE	Page 148
1	driver of the vehicle wasn't a participant.	1	at that time? He was commander of what?
2	Q. Okay. And driver of the vehicle or the owner of	2	A. I don't know what time frame you're referring to.
3	the taxi cab had no knowledge one way or the	3	Q. Well, when you started at Vice Enforcement, the
4	other about illegal activity going on inside the	4	period you were at Vice Enforcement.
5	CAID, isn't that right?	5	A. I don't know if he was there when I came on or
6	A. I don't know what the driver of the hypothetical	6	when I left. He was there at some point when I
7	taxi cab would know or not know.	7	was at Vice Enforcement.
8	Q. That's why you wouldn't have their vehicle towed,	8	Q. At that point what was his job?
9	right, inspector?	9	A. He was a commander over Narcotics.
10	A. Excuse me?	10	Q. How about Kevin Robinson?
11	Q. Isn't that right?	11	A. He was a lieutenant at Narcotics.
12	A. No, I don't know what you're asking me is right.	12	Q. And the reason or the function that they had with
13	MR. GOODMAN: Would you read the	13	reference to your activities at Vice Enforcement
14	question back, please?	14	was supervisory in any way, either Robinson or
15	(Record repeated as requested).	15	Bray?
16	A. I still don't understand.	16	A. I'm not sure about Lt. Robinson. Essentially
17	BY MR. GOODMAN:	17	whoever the commander at Narcotics would have
18	Q. What I'm saying is, the taxi cab drops a person	18	been my direct report, unless there was some
19	off and then comes back to pick them up and you	19	other direction that they designated someone else
20	have no idea of whether the taxi cab driver or	20	for me to report to.
21	owner knows whether illegal activity is going on	21	Q. Just one final brief area of questioning. When
22	inside the CAID and that's why their vehicle	22	these citations were issued on May 31, 2008 as
23	would not be towed or confiscated?	23	we've agreed that the charge of loitering in a
24	A. And that's part of it and in connection with the	24	place of illegal occupation is and was a
25	fact they weren't loitering inside where the	25	misdemeanor at the time, is that right?
	Page 147		Page 149
7	Page 147	1	·
1 2	activity was occurring.	1 2	A. Yes.
2	activity was occurring.  Q. But they did convey the person who was loitering?	2	A. Yes. Q. The issuance of a citation means that the person
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39 (Pages 150 to 153)

	35 (1496)	100	CO 133/
	Page 150		Page 152
1	which they could be arrested?	1	A. It states that see attached activity log,
2	A. A warrant would be issued, right.	2	Lt. Yost and Sgt. Buglo detached from PO
3	Q. By the way, is it your understanding that the	3	McClendon and Johnson at 9:30.
		1	
4	ordinance that you were operating under at that	4	Q. What does "detached" mean?
5	time, that is loitering in a place of illegal	5	A. It means we weren't operating with them and we
6	occupation, has been changed since that date?	6	went off to do something different.
7	A. Yes, it is.	7	Q. So is that why your surveillance activity is not
8	Q. How were you informed of that change?	8	referenced on this particular activity log?
9	A. I don't specifically recall.	9	A. Yes, it indicates another activity log exists.
10	Q. Were you consulted at all with regards to the	10	Q. And is it your information that there's is it
11	change in language that was made on the	11	your information and belief there's another
12	ordinance?	12	activity log?
13	A. I had discussed it with city attorneys, but I	1.3	A. Based on this, yes.
14	don't know that it was a consultation.	14	MS. GIAQUINTO: Thank you, no further
15	Q. What is your understanding of the change that's	15	questions.
16	been effected in the ordinance since that time?	16	RE-EXAMINATION
17	A. That there has to be an intent to engage in the	17	BY MR. GOODMAN:
18	activity to be illegal occupation.	18	Q. Is there any reason whatsoever why that activity
19	Q. And did you change your practices once the	19	log should be unavailable that you can think of?
20	ordinance was amended or changed?	20	A. Not that I'm aware.
21	A. I'm not at Vice Enforcement.	21	MR. GOODMAN: That's all.
22	Q. Do you know if Vice Enforcement changed their	22	(The deposition was concluded at 2:48 p.m.,
23	activities afterwards, after this change in the	23	signature of the witness was not requested by
24	ordinance?	24	counsel for the respective parties hereto)
25	A. I know they're aware of the change, but there's	25	,
	Page 151		Page 153
-	Page 151		Page 153
1	not anybody currently assigned to Vice	1	Page 153 CERTIFICATE OF NOTARY
2 '	not anybody currently assigned to Vice Enforcement that I know of.	1 2	CERTIFICATE OF NOTARY
2 ° 3	not anybody currently assigned to Vice Enforcement that I know of. Q. No law enforcement officer at all is assigned to	1 2 3	CERTIFICATE OF NOTARY  STATE OF MICHIGAN )
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	not anybody currently assigned to Vice Enforcement that I know of.  Q. No law enforcement officer at all is assigned to Vice Enforcement?  A. Not that I'm aware of.  Q. At the time that the ordinance was changed were there any law enforcement officers assigned to that unit?  A. I don't know. I don't know specifically.  MR. GOODMAN: Nice to meet you.  MS. GIAQUINTO: I have one question.  MR. GOODMAN: Oh, I'm sorry, I'm sorry.  EXAMINATION  BY MS. GIAQUINTO:  Q. I want you to look at Exhibit 1 that we've marked as Exhibit 1. It is the Detroit Police  Department activity log dated March 28 of 2008.  And there was some questioning as to why your surveillance activities on that date was not referenced on this particular activity log.  I want you to look at the miscellaneous information. Does that give you any does that	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	STATE OF MICHIGAN ) ) SS COUNTY OF WAYNE ) I, DALE E. ROSE, Certified Shorthand Reporter, a Notary Public in and for the above county and state, do hereby certify that the above deposition was taken before me at the time and place hereinbefore set forth; that the witness was by me first duly sworn to testify to the truth, and nothing but the truth, that the foregoing questions asked and answers made by the witness were duly recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to either party nor interested in the event of this cause.  DALE E. ROSE CSR-0087

# **EXHIBIT 4**

# 2:10-cv-10675-VAR-MKM Doc#84-5 Filed 04/17/12 Pg 2 of 40 Pg ID 1871 Daniel Buglo 9/21/2011

1	IN THE UNITED STATES DISTRICT COURT	
	FOR THE EASTERN DISTRICT OF MICHIGAN	
2	SOUTHERN DIVISION	
3	IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER, ANGIE WONG, JAMES WASHINGTON, NATHANIEL	
4	PRICE, JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE,	
5	DARLENE HELLENBERG, THOMAS MAHLER, and LAURA MAHLER,	
6	LACICA MAILLER,	
_	Plaintiffs,	
7	Hon. Victoria A. Rob	erts
	Magistrate Judge Mon	
8	-vs- No. 10 cv_10675	
9	CITY OF DETROIT, a municipal	
	corporation, Lieutenant VICKI YOST,	
10	a Detroit police officer, in her individual capacity, Sergeant DANIEL	
11	BUGLO, a Detroit police officer, in his individual capacity, Sergeant G. MCWHORTER,	
12	a Detroit police officer, in his/her	
	individual capacity, Sergeant A. POTTS,	
13	a Detroit police officer, in his/her	
	individual capacity, ergeant CHARLES TURNER,	
14	a Detroit police officer, in his individual	
	capacity, Officer M. BROWN, a Detroit police	
15	officer, in his her individual capacity, Officer	•
7.7°	B. COLE, a pet of police officer, in his/her	
16	individual capacity, Officer TYRONE GRAY, a	
17	Detroit police officer, in his individual capacity, Officer SHERON JOHNSON, a Detroit	
	police officer, in her individual capacity,	
18 🖔	Officer K. SINGLETON, a Detroit police officer, in his/her individual capacity, and UNNAMED	•
19 ``	DETROIT POLICE OFFICERS, in their individual	
	capacities,	
20		
	Defendants.	
21	/	
22		
23	DEPOSITION OF SERGEANT DANIEL BUGLO	
	WEDNESDAY, SEPTEMBER 21, 2011	
24		
25		4.2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1



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#### Daniel Buglo 9/21/2011

# 2 (Pages 2 to 5)

	Page 2		Page 4
1		1	Detroit, Michigan
2	Deposition of SERGEANT DANIEL BUGLO,	2	Wednesday, September 21, 2011
3 4	taken in the above-entitled cause before Denise Moorfoot, (CSR-2275), Court Reporter and Notary Public for the County	3	10:10 a.m.
5	of Oakland, State of Michigan, at 660 Woodward, Suite 1650,	4	
6	Detroit, Michigan, on Wednesday, September 21, 2011, commencing	5	DANIEL BUGLO
7 8	at or about the hour of 10:10 a.m. APPEARANCES:	6	was thereupon called as a witness herein and, after
9	MR, DANIEL S, KOROBKIN	7	having been first duly sworn to tell the truth, was
	American Civil Liberties Union Fund of Michigan	8	examined and testified as follows:
10	2966 Woodward Avenue Detroit, Michigan 48201	9	
11	-and-	10	MR. GOODMAN: The record will reflect that this
	MR. WILLIAM H, GOODMÁN	11	is the deposition of Sergeant Daniel Buglo taken pursuant
12	MS. KATHRYN BRUNER JAMES	12	to Notice under the Federal Rules of Civil Procedure, for
1.3	Goodman & Hurwitz, P.C. 1394 E, Jefferson Avenue	13	any and all purposes therein provided.
	Detroit, Michigan 48207	14	EXAMINATION
14 15	Appearing on behalf of the Plaintiffs.  MR. JERRY ASHFORD	15	BY MR, GOODMAN:
13	City of Detroit Law Department	16	Q Sergeant, have you ever been deposed before?
16	660 Woodward Avenue	17	A Yes, sir.
	1650 First National Building	18	Q How many times would you say?
17	Detroit, Michigan 48226 Appearing on behalf of the Defendants,	19	A Approximately two to three. I don't remember exactly.
18	·	20	Q Okay. Well, for the record, we have met off the record,
19		21	but formally and officially on the record, my name is Bill
20 21		22	Goodman. I'm one of the lawyers who represents the
22		23	plaintiffs in this case, and I'm going to be asking you
23 24		24	some questions; and given the fact that you have had your
25		25	deposition taken before, I take it you know the ground
	Page 3		
,	rage 3		Page 5
1 2	TABLE OF CONTENTS .	1	rules generally, but I want to go over them with you just
3 4	WITNESS PAGE	2 3	briefly here if you don't mind. Is that all right?  A That's fine.
5	SERGEANT DANIEL BUGLO Examination by Mr. Goodman 4	4	
6		5	Q First of all, I'll be asking questions. You'll be expected to answer questions. You're represented here
7	DEPOSITION EXHIBITS	6	today by Mr. Ashford, and if Mr. Ashford makes an
	Exhibit 1 - Preliminary Complaint Record 3-29-08 28	7	objection, I want you to withhold your answer until the
8	Exhibit 2 - Preliminary Complaint Record 4-26-08 38	8	objection is stated on the record. Do you understand
9	- "	9	that?
10	Exhibit 3 - DPD Activity Log 3-28-08 52	10	A Yes.
	Exhibit 4 - DPD Crime Report No. 0805310096.1 .56	11	Q Probably, after his objection is completed, you will be
11	Exhibit 5 - Anticipatory Search Warrant 08001827 64	12	allowed to answer the question or complete your answer,
12	F,		michigan and michigan of complete jobs michigan,
	Talling Outliness On the second	13	and if at that point you need to be refreshed as to what
13	Exhibit 6 - Ordinance - Sec. 38-5-1 81 Disorderly Conduct		and if at that point you need to be refreshed as to what the question was, the court reporter here, Ms. Moorfoot.
13 14	Disorderly Conduct Exhibit 7 - Re-Notice of Taking Deposition 84	14	the question was, the court reporter here, Ms. Moorfoot,
14	Disorderly Conduct		the question was, the court reporter here, Ms. Moorfoot, can repeat it, can read it back for you, or I can repeat
14 15	Disorderly Conduct Exhibit 7 - Re-Notice of Taking Deposition 84	14 15	the question was, the court reporter here, Ms. Moorfoot, can repeat it, can read it back for you, or I can repeat it or clarify it if you have any question about any
14	Disorderly Conduct Exhibit 7 - Re-Notice of Taking Deposition 84 Duces Tecum of Sgt. Daniel Buglo  Exhibit 8 - DPD Follow-Up Report 0805310096.2 101	14 15 16	the question was, the court reporter here, Ms. Moorfoot, can repeat it, can read it back for you, or I can repeat
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#### Daniel Buglo 9/21/2011

3 (Pages 6 to 9)

			1		
		Page 6			Page 8
1,	Α	Sure.	1		right, sir?
2	Q	Once again, if there is anything you don't remember,	2	1	No. When I first got promoted in February of '04, I was
3		please say so. If there's anything you can't hear, please	3		sent to the Tenth Precinct, and then approximately in
4		indicate that as well, and if there's anything that	4		March of '06 I was transferred to vice enforcement.
5		requires repetition or clarification in any way, you'll	5	C	So you're in vice enforcement from did you say March of
6		let me know, right?	6		'06?
7	A	• ***	7	A	March of '06 to sometime in '09. August of '09 I believe,
8	Q	For the record, your full name is, sir?	8	Ç	So that complete time that you were The whole time you
9	A		9		were at vice enforcement you were a supervisor. Am I
10	Q		10		right about that?
11		MR. ASHFORD: I'm going to object to that as	11	A	Yes.
12		being not reasonably calculated to lead to admissible	1.2	Q	Now, before becoming a Detroit police officer, what was
13		evidence, the law enforcement privilege, and instruct the	13		the training routine that you went through? What training
14	-	witness not to answer. He can tell you his age.	14		did you receive?
15	_	Y MR. GOODMAN;	15	A	You mean in the academy?
16	Q	3	16	Q	•
17		improper invocation of the law enforcement privilege, but	17	Α	Basic academy training, defensive tactics, report writing,
18		over and above objection, how old are you?	18		legal training, things of that nature. It's been a long
19		Forty-six,	19	_	time.
20 21	Q		20	Q	
22	Α	Yes, sir.	21	Α	I started on April 10th, and we graduated sometime in
23	Q	In fact, you're a supervisor; you're a sergeant. Am I right about that?	22	_	early August of '89. It's about four months.
24	Α	Yes.	23	Q	
25	0	How long have you been a law enforcement officer for the	24	•	Before you became a sergeant in I think you said
	_ <	The world have you occur a law enforcement officer for the	4 2 5		February of '04, had you applied for promotions before
			<del> </del>		
		Page 7			Page 9
1		Page 7 City of Detroit?	1		Page 9 that time?
1 2	A	City of Detroit?	1 2	A	that time?
	A Q	City of Detroit?		A	that time?  I believe I did take one promotional test before that,
2	_	City of Detroit?  Approximately twenty-two and a half years.	2	A Q	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.
2 3	Q	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other	2	_	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?
2 3 4	Q	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?	2 3 4	Q	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?
2 3 4 5	Q A Q	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?	2 3 4 5	Q A Q	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?
2 3 4 5	Q A Q	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,	2 3 4 5	Q A Q	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?  Yes.
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2 3 4 5 6 7 8 9	Q A Q A	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?  I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD?	2 3 4 5 6 7 8	Q A Q	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?  Yes.  I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably
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2 3 4 5 6 7 8 9 10 11	Q A Q A Q	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?  I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD?  I'm a sergeant at the tactical mobile unit.  How long have you been with TMU?	2 3 4 5 6 7 8 9	Q A Q A	I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?  Yes.  I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three.  Thank you, Sergeant.  When you were assigned to vice enforcement, did
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2 3 4 5 6 7 8 9 10 11 12 13	Q A Q A Q A	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?  I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD?  I'm a sergeant at the tactical mobile unit.  How long have you been with TMU?  In October it will be a year. I was there as an officer before that for approximately fourteen years.	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q A	I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?  Yes.  I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three.  Thank you, Sergeant.  When you were assigned to vice enforcement, did
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2 3 4 5 6 7 8 9 1.0 1.1 1.2 1.3 1.4 1.5 1.6	Q A Q A Q A Q	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?  I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD?  I'm a sergeant at the tactical mobile unit.  How long have you been with TMU?  In October it will be a year. I was there as an officer before that for approximately fourteen years.  What was your assignment before this present assignment with TMU?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A	that time?  I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?  Yes.  I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three.  Thank you, Sergeant.  When you were assigned to vice enforcement, did you have an understanding at the time that you were assigned to vice enforcement would be?  I did have some knowledge of what their duties were. I
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q A A	City of Detroit?  Approximately twenty-two and a half years. Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant, Sergeant Buglo? I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD? I'm a sergeant at the tactical mobile unit. How long have you been with TMU? In October it will be a year. I was there as an officer before that for approximately fourteen years.  What was your assignment before this present assignment with TMU? I was a sergeant in the special operations unit at the Sixth Precinct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A	I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that? The first one? Yes. I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three. Thank you, Sergeant. When you were assigned to vice enforcement, did you have an understanding at the time that you were assigned to vice enforcement as to what your job at vice enforcement would be? I did have some knowledge of what their duties were. I knew they did liquor license enforcement, prostitution, blind pigs, illegal gambling, unlicensed businesses,
2 3 4 5 6 7 8 9 1.0 1.1 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9	Q A Q A Q A Q	City of Detroit?  Approximately twenty-two and a half years. Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant, Sergeant Buglo? I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD? I'm a sergeant at the tactical mobile unit. How long have you been with TMU? In October it will be a year. I was there as an officer before that for approximately fourteen years.  What was your assignment before this present assignment with TMU? I was a sergeant in the special operations unit at the Sixth Precinct. How long did you do that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A	I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that?  The first one?  Yes.  I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three.  Thank you, Sergeant.  When you were assigned to vice enforcement, did you have an understanding at the time that you were assigned to vice enforcement as to what your job at vice enforcement would be?  I did have some knowledge of what their duties were. I knew they did liquor license enforcement, prostitution, blind pigs, illegal gambling, unlicensed businesses, things of that sort.
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2 3 4 5 6 7 8 9 1.0 1.1 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9 2.0 2.1 2.2	Q A Q A Q A Q A	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?  I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD?  I'm a sergeant at the tactical mobile unit.  How long have you been with TMU?  In October it will be a year. I was there as an officer before that for approximately fourteen years.  What was your assignment before this present assignment with TMU?  I was a sergeant in the special operations unit at the Sixth Precinct.  How long did you do that?  Approximately a year.  And before that?  I was a sergeant at vice enforcement.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that? The first one? Yes. I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three. Thank you, Sergeant. When you were assigned to vice enforcement, did you have an understanding at the time that you were assigned to vice enforcement as to what your job at vice enforcement would be? I did have some knowledge of what their duties were. I knew they did liquor license enforcement, prostitution, blind pigs, illegal gambling, unlicensed businesses, things of that sort.  And how did you arrive at that understanding? Was that just general chitchat within the department, or did you receive a briefing before you went there?
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2 3 4 5 6 7 8 9 1.0 1.1 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9 2.0 2.1 2.2	Q A Q A Q A Q A	City of Detroit?  Approximately twenty-two and a half years.  Before that were you in law enforcement in any other capacity?  No.  All right. And how long have you been a sergeant,  Sergeant Buglo?  I got promoted in '04, so six years, seven, going on seven years.  Okay. What's your current assignment with the DPD?  I'm a sergeant at the tactical mobile unit.  How long have you been with TMU?  In October it will be a year. I was there as an officer before that for approximately fourteen years.  What was your assignment before this present assignment with TMU?  I was a sergeant in the special operations unit at the Sixth Precinct.  How long did you do that?  Approximately a year.  And before that?  I was a sergeant at vice enforcement.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	I believe I did take one promotional test before that, possibly two, but at least one for sure.  And when was that? The first one? Yes. I don't recall. Possibly '97, '98 maybe. I don't recall for sure the date. The second one would have probably been three to five years after that if I took two. I don't remember if I took two or three. Thank you, Sergeant. When you were assigned to vice enforcement, did you have an understanding at the time that you were assigned to vice enforcement as to what your job at vice enforcement would be? I did have some knowledge of what their duties were. I knew they did liquor license enforcement, prostitution, blind pigs, illegal gambling, unlicensed businesses, things of that sort.  And how did you arrive at that understanding? Was that just general chitchat within the department, or did you receive a briefing before you went there?

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#### Daniel Buglo 9/21/2011

#### 4 (Pages 10 to 13)

	rage 10	·	
1	people that had worked there in the past, I had a general	1	make would be to liquor license or
2	idea of what they did.	2	up all their secrets, and we would g
3	Q Were you ever briefed as to what the mission of vice	3	their complaint and handle whateve
4	enforcement was either before you went to vice enforcement	4	across.
5	or after you were assigned to it?	5	Q This is just speaking as a citizen o
6	A I imagine my first week there, there was another sergeant	6	but my understanding is there are a
7	that had been assigned to vice, Sergeant Turner, who had	7	clubs up and down Eight Mile Road
8	extensive vice experience. He was there as an officer for	8	A I don't know if there's a lot.
9	many years, and then he got promoted I think before I did,	9	Q There are a number of them?
10	and he got sent back to vice as a sergeant, so working	10	A There's six or seven, sure.
11	hand in hand with him I was brought up to speed.	11	Q And those, would you get complain
12	Q So basically on-the-job training through Sergeant Turner.	12	enforcement officers or adjoining of

- Q So basically on-the-job training through Sergeant Turner, 13 is that correct?
- 1.4 A And the other officers at vice, yes.
- 15 Q But you have singled him out, so I take it he was a major 16 source of your information?
- 17 A We were in the same office. We were both sergeants, so 18 most of the guidance came from him.
- 19 Q And having spoken with Sergeant Turner and whatever other 20 officers you spoke with, was your knowledge as to the
- 21 mission of the vice enforcement unit of the Detroit Police
- 22 Department enlarged?

- 23 A It's pretty much a complaint-driven unit. It's the
- 24 enforcement arm of the liquor license unit, Complaints
- 25 would come in on a daily basis to liquor license regarding

# Page 12

- r vice, and they'd give go in and investigate er enforcement we came
- of the City of Detroit. a lot of these strip ad. Am I right about that?
- aints from adjoining law 12 enforcement officers or adjoining communities outside of 13 Detroit with regard to those places in particular or
- 14 others as well?
- A I don't remember ever getting a complaint from an outside 15 16 jurisdiction about a strip club. We had a noise complaint 17 from a lady who lived across Eight Mile, I believe in 18 Warren, from a bar that was playing their music too loud 19 at the end of the night, and I guess they kind of spilled 20 out to the parking lot at closing time, and the bar was 21 called Eight Mile Run. And I don't remember the exact 22 location, but it was on Eight Mile. The complaint came 23 from a Warren citizen.
  - Q Now, when you -- Excuse me. I'm sorry. I interrupted, I apologize,

#### Page 11

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#### 1 some of the topless clubs, prostitution going on in there, illegal activities going on at various bars, if there was 2 3 a heavy area of prostitution. Maybe a precinct commander would call and ask us to do some type of operation, but it 5 was mostly complaint driven, and on a daily basis we would 6 get complaint locations, and if it involved an undercover 7 operation, we would do that. If it involved putting one 8 of our girls out to do a prostitution operation, we would 9 do that. So the majority of it was complaint driven.

- 10 Q By "one of our girls," I take it you mean --
- 11 A Detroit police officers.
- 1.2 Q -- female Detroit police officer, correct?
- 13
- 14 Q And going back to the complaint-driven aspect of your 15 operation, when you say complaint driven, do you mean driven by complaints from neighbors, citizens, people who 16
- 17 live and work in the community?
- 18 A Yes. Some of them were from there.
- 19 Q And others were from other law enforcement officers?
- 20 A Others were from law enforcement officers. Others came 21 from -- There seemed to be a consistent amount of
- 22 complaints about the strip bars. A lot of those I think
- 23 were generated from employees that were at the strip bars 24 that would get fired for whatever reason. It seemed like
- 25 they would be disgruntled, and the first call they would

When you arrived at vice enforcement, did you receive any written materials, anything like that that either described your operation or gave you assistance in

Page 13

3 4 carrying out your duties as a vice enforcement Detroit 5 police officer?

6

- A There's several I want to say code names of officers, of streets, of descriptions of black male, white male, black female, white female. There's a numeric system. I believe I got kind of a cheat sheet of ordinances that are vice specific, you know, things of that nature.
- Let me ask you first of all about the designation of people describing them by both race and gender. Is this something that was specific or peculiar to the vice enforcement unit, or was this common throughout the department in terms of report writing? Let's start with that.
- A I have never used it in a report. I believe it generated from narcotics I don't know how many years ago. Like an 04 I believe is a black male and 04 plus I believe is a black female if I'm remembering correctly, but those are never used in a report. I believe it generated before we had secure radio channels, and those were the codes that were given over the channel; so if anyone would be listening, I guess it would help to throw them off.
- Q You understand we're here in connection with an incident

#### 5 (Pages 14 to 17)

		5 (rages	エサ し <sup>1</sup>	0	±,,
		Page 14			Page 16
1	that occur	red on May 31st, 2009, at a club or	1		training along those lines?
2		S. JAMES: 2008.	2	Α	Yes.
3	BY MR. GO		3	Q	
4		cuse me. May 31st, 2008, at the institution known		_	training?
5	-	ID. Do you remember that incident?	5	Α	At the academy level, I did.
6	A Yes.	·	6	Q	
7	Q And we'l	I go through some of the reports, the CRISNET	7	-	We have instituted a forty-hour block of training that's
8		d PCRs for that incident, but I noticed that	8		been in effect maybe for the last four years that every
9	=	ere described as WF or WM, those kinds of	9		officer has to go through once a year, and it's covered in
10		ons in the reports themselves. Is that something	10		there, also,
11	=	iliar to vice enforcement, or was that a	11	Q	
12	_	on that was department-wide in terms of report	12	`	CAID?
13		that time?	13	A	I don't know if the forty-hour block was instituted at
14		It's not peculiar. It's common throughout the	14		that time or not. It was probably right around that time
15	departmen		15		that it got started.
16	Q Through	out the Detroit Police Department?	16	0	So whether you had been through that process before that
17	A Yes.	•	17	_	raid or not, you can't recall at this time?
18	Q Okay, Is	it something that you're supposed to do when	18	Α	I can't recall. Correct.
19		a person who you either have seen or	19		Okay. In connection with that training that you received,
20		ed as a police officer, describe them both by	20	`	is one of the areas that is covered the question of when
21		ender in that way?	21		an officer has probable cause to make an arrest and when
22	_	It's a universal not universal but	22		the officer does not have probable cause to make the
23		to our department. It's an accepted practice	23		arrest? Is that an area that you recall receiving this
24		ted description.	24		forty-hour block training in?
25	Q Thank yo	ou. Did you receive any specialized training on	25	Α	Yes.
		Page 15	CA PARISON COR COR CONT. CON A A STORMAN		Page 17
-	1	Page 15			Page 17
1		ring on constitutional law when you became a	1.	Q	But, again, whether you had that training prior to May
2	supervisor	_	2	_	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir?
2	supervisor A No.	ring on constitutional law when you became a in vice enforcement?	2 3	A	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir? Correct.
2 3 4	supervisor A No. Q You did:	ring on constitutional law when you became a in vice enforcement?	2 3 4	A	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir?  Correct.  When you started in the vice enforcement unit in 2006, how
2 3 4 5	supervisor A No. Q You did academy,	ring on constitutional law when you became a in vice enforcement?  receive such training when you were at the however; is that right, sir?	2 3 4 5	A	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir?  Correct.  When you started in the vice enforcement unit in 2006, how many officers were assigned to that unit that you can
2 3 4 5	A No. Q You did academy, A I would i	ring on constitutional law when you became a in vice enforcement?  receive such training when you were at the however; is that right, sir?  magine so. I remember the legal class went for a	2 3 4 5 6	A Q	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir?  Correct.  When you started in the vice enforcement unit in 2006, how many officers were assigned to that unit that you can recall?
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2 3 4 5 6 7 8 9 10 11 12	supervisor A No. Q You did academy, A I would i week or to recollection Q And did Sergeant Trights, that A I don't rec Q Or anyon	ring on constitutional law when you became a in vice enforcement?  receive such training when you were at the however; is that right, sir?  magine so. I remember the legal class went for a wo, so I'm sure it was covered. Specific on of it I don't have.  you have any discussions, for example, with Furner about constitutional law issues, people's t kind of thing that you can recall?  call ever having that type of conversation, no. we else within vice enforcement?	2 3 4 5 6 7 8 9 10 11 12	A Q A A	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir? Correct.  When you started in the vice enforcement unit in 2006, how many officers were assigned to that unit that you can recall?  I believe it was myself, Sergeant Turner, and only two other officers that had vice as their permanent assignment. They had a narcotics crew that would rotate in every twenty-eight days to help with the enforcement. So the narcotics crew would rotate in for a term of about twenty-eight days; is that what you're saying?  Yes, sir.
2 3 4 5 6 7 8 9 10 11 12 13	A No. Q You did academy, A I would i week or to recollection Q And did Sergeant Trights, that A I don't rec Q Or anyon A As far as	ring on constitutional law when you became a in vice enforcement?  receive such training when you were at the however; is that right, sir?  magine so. I remember the legal class went for a wo, so I'm sure it was covered. Specific on of it I don't have.  you have any discussions, for example, with Furner about constitutional law issues, people's t kind of thing that you can recall?  call ever having that type of conversation, no. he else within vice enforcement?  violating people's rights, I'm sure, if we were	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q	But, again, whether you had that training prior to May 31st, 2008 or not, you don't know; is that right, sir? Correct.  When you started in the vice enforcement unit in 2006, how many officers were assigned to that unit that you can recall?  I believe it was myself, Sergeant Turner, and only two other officers that had vice as their permanent assignment. They had a narcotics crew that would rotate in every twenty-eight days to help with the enforcement. So the narcotics crew would rotate in for a term of about twenty-eight days; is that what you're saying?  Yes, sir.  And how large would that narcotics group be? How many
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#### Daniel Buglo 9/21/2011

6 (Pages 18 to 21)

Page 18 Page 20 1 been promoted. 1 is that correct? 2 Q And in 2009 who was the commanding officer of that unit at 2 A On the regular officers' monthly sheets, there's a column. 3 the time of the CAID raid? 3 I believe, for vehicles investigated. I'm not positive if A Lieutenant Vicki Yost, Y-O-S-T. 4 4 there's one for vehicles impounded. 5 Q Is Lieutenant Yost still with vice enforcement as far as 5 O Is there a different tally sheet for vice enforcement than 6 vou know? 6 there is for other units within the department? 7 A No. She is the acting inspector of the Eighth Precinct. 7 A We did keep a daily tally sheet. There was a daily packet 8 When you were assigned to vice enforcement, were you 8 that we put together, and on the cover sheet it listed the 9 regularly evaluated? Was your job performance regularly 9 enforcement that we did for that shift. And then there 10 evaluated? 10 was -- I think there was a weekly stat report that was 1.1 A Yes. There's a service rating that goes once a year where 11 done, also, that kept a running year-to-date total of our 12 we are evaluated. 12 activities. 1.3 Q Who did your evaluation? 13 Q That would include numbers of people arrested; is that 14 A That would have been Lieutenant Fair and then subsequently 14 correct, sir? 15 Lieutenant Yost. 15 A People arrested, seizures, tickets written, yes, all that, 16 Q What were the metrics, if you follow me, for determining 16 those things. There were several categories on there. 17 whether you were doing a good job or not? 17 Q Were those tally sheets looked at in evaluating officers 18 A There's several categories on the sheet that we're rated 18 at the -- Withdraw that question. 19 on, resourcefulness, punctuality, knowledge. I don't 19 Was the tally sheet something that was used by 2.0 remember all of them. If I had the form in front of me, 20 the commanding officer in calculating the evaluation for 21 it would probably help. The top score is a ninety, and 21 given officers, including yourself, in vice enforcement? like I said, there's probably ten different categories 22 22 A I don't know if Lieutenant Fair specifically looked at 23 maybe. 23 that when doing it. She would have to answer that, I 24 Q And is it fair to say that you consistently scored 24 couldn't answer what her process was or what she used. 25 relatively high in this evaluation process? 25 Q What about Lieutenant Yost? Page 19 Page 21 A I think my first two were probably in the mid eighties, 1 1 A Lieutenant Yost probably did, knowing her personality. I 2 but after maybe a year and a half, two years, I 2 can't say for sure, but just knowing her better than I 3 consistently had a ninety since then and currently. 3 know Lieutenant Fair, she may have. She would be more 4 4 Were the number of arrests that you made in connection likely to. 5 5 with your operations and duties ever taken into account in Q And what do you mean by that? What aspect of her 6 evaluating you? 6 personality are you referring to in that regard? 7 7 A There's a quality of work category, I believe, on there, She was more hands on, more aggressive. She came out with but there is no quantity or, you know, there's no numbers, 8 8 the crew every now and then and actually worked with the no quota or anything like that. 9 9 vice crew, 1.0 Q Is there any record or document or computer system that 10 (Discussion off the record.) MR. ASHFORD: Can we go off the record for a 11 keeps track of the number of arrests you make over a given 11 12 period of time, let's say every year, if you know? 12 moment? MR. GOODMAN: Surely. 13 A I think we're trying to set one up now with our MAS 13 14 system, but I don't know if that's completely online, and 14 (Recess taken from 10:35 a.m. to 10:40 a.m.) 15 I don't know if the supervisors are actually making 1.5 BY MR. GOODMAN: 16 entries of every arrest an officer makes, so I imagine you 16 Q We're sort of sidling up to what happened on May 31st, 17 would have to go back. Officers fill out a monthly sheet, 17 2008, but I want to ask you some general questions about 18 It's a tally sheet of what they have done for the month, 18 your procedures and policies within vice enforcement 1.9 and those are supposed to be kept in their personnel file; 19 before we get there, 20 so I guess that would be the most accurate way to 20 First of all, within vice enforcement, there's 21 calculate the arrest totals. 21 an operation known as a raid; is that correct? 22 And the monthly tally sheets do keep track of the number 22 That's correct. 23 of arrests that are made; is that correct? 23 Is there a definition for a raid that you know of? 0 24 24 It's usually a forced entry of a location with a search 25 Q And they keep track of the number of cars that are seized 25 warrant in hand, an execution of a search warrant,

7 (Pages 22 to 25)

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	Page 22		Page 24
1	Q That's how you would define it?	1	A Yes,
2	A Yes, sir.	2	Q Is it also to verify that a certain person is engaged in
3	Q And within the vice enforcement operation, that would be		illegal activities or criminal behavior, if you know?
4	location where there was certain kinds of activities going	4	A Are you asking if the search warrant could be specific for
5	on, either after-hours drinking or illegal sales of	5	that for a specific person?
6	alcohol or drug use or gambling or something like that; is	6	Q No. Whether the undercover surveillance operation leading
7	that right, sir?	7	up to a search warrant and a raid is one which is engaged
8	A Yes.	8	in, you know, in an attempt to identify certain people who
9	Q Are there, leading up to the raids themselves, operations	9	are engaged in criminal activity, if you know.
10	that are known as review surveillance operations?	10	A I don't know. I haven't run across that.
11	A Yes. If we were looking at a place that we were going to	11	Q You engaged in such undercover surveillance operations
12	execute a search warrant on, the general rule is to have	12	excuse me. You engaged in such review surveillance
13	three observations of illegal activity going in. If	13	operations with regard to the CAID operation. Am I right
14	possible, we would send an undercover officer into the	14	about that?
15	location as well. And we Go ahead.	15	A Yes.
16	Q And what is the purpose of having, as you said, three of	16	Q And the CAID is located where if you can recall?
17	these undercover operations before the raid?	17	A It's on 12th, I believe north of Warren. I don't remember
18	A That was a standard that was set before I got there. I	18	the exact side street. It could be Bryant. I'm not
19	could speculate that it was to make sure that you were on	1.9	positive. I know it's on 12th Street.
20	solid ground of illegal activity actually going on and you	20	Q If I told you it was 5141 Rosa Parks Boulevard, would that
21	didn't do an illegal search, an illegal raid or something	21	sound right to you?
22	that wasn't above board.	22	A Yes.
23	Q Let me ask it this way: Usually, when you conducted your		Q And the cross street at Rosa Parks would be what?
24	raids, it was once you had a warrant and once your unit	24	A 1 think it's Bryant, but I'm not positive.
25	had a warrant in hand; is that right?	25	Q And were you involved in all three surveillance review
			and the source of the source o
	Page 23		Page 25
1	A The execution of the raid would be with a search warrant	1	undercover operations leading up to the CAID raid?
2	in hand, yes, sir.	2	A Yes.
3	Q And in order to get a warrant, it's your understanding,	3	(Discussion off the record.)
4	I'm sure, that a police officer must fill out an affidavit	4	BY MR. GOODMAN:
5	as to certain kinds of activities that he has observed or	5	Q Before we mark certain documents as exhibits, have you
6	knowledge that he has presented to a judge or magistrate	6	reviewed anything before your testimony here today,
7	in order to get the warrant signed; is that right?	7	Sergeant?
8	A Yes.	8	A I did review two PCRs that I did and the search warrant
9	Q Do you know one way or another whether the requirement of	f 9	that I was the affiant on.
10	a warrant before a raid is conducted is a constitutional	10	Q Anything else?
11	requirement or simply a requirement by statute or by	11	A And I did There might be three. There may be three
12	custom? Do you have any idea one way or another about	12	PCRs.
13	that?	13	Q Three PCRs?
14	A I believe there are exigent circumstances where you could	14	A Yes, there are three PCRs. One of them I did all three
15	go in without a warrant in hand.	15	of the PCRs, and I reviewed them today.
16	Q Right. And I believe you're right as well, but my	16	MR. ASHFORD: And the activity log,
17	question is: Is the necessity of a warrant, if at all	17	THE WITNESS: And the activity log is also in
18 19	possible, one which is imposed by the Constitution or some	18	here.
	other source of law, if you know?	19	MR. ASHFORD: Search warrant.
20	A I don't know.	20	THE WITNESS: And the search warrant.
21 22	Q So that in your judgment as a law enforcement officer, the	21	BY MR, GOODMAN;
23	reason to engage in these undercover surveillance	22	Q Now, in order to just inform me as to what you have
24	operations is to verify that there is illegal activity or	2:3	reviewed, you had to be reminded my Mr. Ashford of the
25	an illegal occupation going on at a particular location.  Am I correct about that?	24	number of documents you looked at; is that correct?
	1 voix cost about tildt?	25	A Correct,

8 (Pages 26 to 29)

1 Q I take it from that that that means that you looked at these documents just this turming before walking into this deposition. Am I right about that?  4 A Yes. 5 Q You have not looked at them since the time that you wrote them, or am I right about that?  5 Q You have not looked at them since the time that you wrote them, or am I right about that?  6 A I may have reviewed them when I got served with the leaward and read the leaward in red and the first doernation of people that were were alking in which I in I did write that down somewhere and then went back office and typed it into the report, but I can't say for the was a third.  7 A I may have reviewed them when I got served with the leaward and read the leaward. I may have reviewed, please, sir? Thank you.  9 C In I take a look at the document you have reviewed, please, sir? Thank you.  10 Q C In I take a look at the document you have reviewed, please, sir? Them you.  11 MS. JAMRS: What's the third PCR? I thought you said there was a third.  12 THE WITNESS: I think the third one is the list of people that were wistor.  13 BY MR. GOODMAN:  14 THE WITNESS: I think the third one is the list of people that were within an ordinance violation.  15 MY MR. GOODMAN:  16 Well, so when you talk about a third PCR, what you're really lalking about is a document that we have also - anay also be identified as a CRININET document. Am I right about that?  18 A Thest borreot. The reason the CRISNET is different than the first two PCRs, the CRISNET is different than the first two PCRs, the CRISNET is different than the first two PCRs, the CRISNET on the impounded vehicles that I roviewed. I did not enter that into the system.  19 Q Well, were going to go through all the CRISNETs. The CRISNET on the impounded vehicles that I roviewed. I did not enter that into the system.  20 Q So it's a security measure?  21 A Yes, sir. There's also a CRISNET on the impounded vehicles that I roviewed. I did not enter that into the system.  22 Q But all three CRISNETs — and we're going to ge			o (rager		٠ .	, C 2
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4 Q What would be the down side of having them accessible by any other member of the department?  5 A Unfortunately, some of our members frequent these places or know people that frequent these places and are friends, and they may try to warn them that something is coming, to stay away.  10 Q So it's a security measure?  11 A Yes, sir. There's also a CRISNET on the impounded vehicles that I reviewed. I did not enter that into the system.  12 Q Well, we're going to go through all the CRISNETs. The CRISNETs are numbered, and then at the end have a decimal point and a point one, point two, and point three after them; is that right?  12 A Correct.  13 A Correct.  14 Q But all three CRISNETs — and we're going to get into all of them, including the vehicle impoundment — have the same principal number. Am I right about that?  24 A Correct. It's a case number, and the dot one, dot two, dot three after it just signifies that they are all part of the same case, and there's several different reports  4 A That's a Preliminary Complaint Record that I completed — it looks like Saturday, March 29th, at about 1:40 a would be when the activity was. I would have done shortly thereafter.  8 Q Okay. And this is a preliminary complaint report we kept within your unit; am I right about that?  10 A Yes, sir.  11 Q And it's a report on, quote, blind pig activity, end quote; is that correct, sir?  12 A Yes, sir.  13 A Yes, sir.  14 Q And what do you mean by blind pig activity?  15 A I think the general definition is a place that served alcohol after hours that is unlicensed. Sometimes the prostitution activity, gambling activity, things of that nature.  19 Q And after hours would be after two a.m.; is that right working in an undercover capacity; is that correct, sir.  19 Q So this indicates that you and Lieutenaut Yost were working in an undercover capacity; is that correct, sir.			· · ·		~	
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system.  13	12			12	_	
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18 A Correct.  19 Q But all three CRISNETs – and we're going to get into all 20 of them, including the vehicle impoundment – have the 21 same principal number. Am I right about that? 22 A Correct. It's a case number, and the dot one, dot two, 23 dot three after it just signifies that they are all part 24 of the same case, and there's several different reports  18 nature.  19 Q And after hours would be after two a.m.; is that right sir?  21 A Yes.  22 Q So this indicates that you and Lieutenant Yost were dot three after it just signifies that they are all part 23 working in an undercover capacity; is that correct, single the same case, and there's several different reports  24 A Yes.	16		point and a point one, point two, and point three after	16		alcohol after hours that is unlicensed. Sometimes there's
Q But all three CRISNETs — and we're going to get into all of them, including the vehicle impoundment — have the same principal number. Am I right about that?  A Correct. It's a case number, and the dot one, dot two, dot three after it just signifies that they are all part of the same case, and there's several different reports  A Yes.  A Yes.	17		them; is that right?	17		prostitution activity, gambling activity, things of that
of them, including the vehicle impoundment—have the same principal number. Am I right about that?  A Correct. It's a case number, and the dot one, dot two, dot three after it just signifies that they are all part of the same case, and there's several different reports  sir?  A Yes.  O So this indicates that you and Lieutenant Yost were working in an undercover capacity; is that correct, single of the same case, and there's several different reports  A Yes.	18	Á	Correct,	18		
same principal number. Am I right about that?  21 A Yes.  22 A Correct. It's a case number, and the dot one, dot two, 23 dot three after it just signifies that they are all part 24 of the same case, and there's several different reports 25 A Yes.  26 Possible indicates that you and Lieutenant Yost were working in an undercover capacity; is that correct, since the same case, and there's several different reports 26 Possible indicates that you and Lieutenant Yost were working in an undercover capacity; is that correct, since the same case, and there's several different reports	19	Q	But all three CRISNETs - and we're going to get into all	19	Q	And after hours would be after two a.m.; is that right,
A Correct. It's a case number, and the dot one, dot two, dot three after it just signifies that they are all part of the same case, and there's several different reports  2 Q So this indicates that you and Lieutenant Yost were working in an undercover capacity; is that correct, single A Yes.	20.		of them, including the vehicle impoundment - have the	20		sir?
dot three after it just signifies that they are all part 23 working in an undercover capacity; is that correct, since 24 of the same case, and there's several different reports 24 A Yes.	21		same principal number. Am I right about that?	21	Α	Yes.
of the same case, and there's several different reports 24 A Yes.	22	A	Correct. It's a case number, and the dot one, dot two,	22	Q	So this indicates that you and Lieutenant Yost were
	23		dot three after it just signifies that they are all part	23		working in an undercover capacity; is that correct, sir?
25 attached. 25 Q And that simply means nonuniformed; am I right?	24		of the same case, and there's several different reports	24	Α	Yes.
	25		attached.	25	Q	And that simply means nonuniformed; am I right?

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#### 9 (Pages 30 to 33)

		- 13		_	,
		Page 30			Page 32
1	Α	Nonuniform, in an unmarked car, an undercover car.	1	A	It would have been We would have started the shift on
2	Q		2		Friday, and it would have went over into Saturday. We
3	Α	Plainclothes. In plainclothes, civilian attire.	3		usually worked seven at night until three in the morning,
4	Q	Was it a business suit? Was it blue jeans?	4		so it bled into the next day.
5	A	I believe blue jeans and probably a T-shirt.	5	Q	Do you remember that it was a Friday, or do you know that
6	Q	Yeah. And Lieutenant Yost, how was she dressed?	6		these particular events at this location always happened
7	Α	The same way.	7		on Friday nights?
8	Q	So casual undercover clothes, is that right?	8	Α	Our shift would have been that Friday, and our information
9	Α	Yes, sir.	9		was that the activity went on the last Friday of the
10	Q	And you indicate that there had been a complaint of blind	10		month.
11		pig activity at the above address; is that right, sir?	11	Q	And these were known as, quote, Funk Night, unquote; is
12	Α	Yes, sir.	12		that right?
13	Q	_	13	A	Yes, sir.
14	A		14	Q	, ,
15	Q	And to whom was that complaint made, if you know?	15		Funk Night?
16	A	I don't know who it was made to, but I got my information		A	The information I had, that there was drinking going on,
17	_	from Lieutenant Yost.	17		that they were charging a cover charge at the door to get
18	Q	•	18		in. They had security, and it went past two a.m. was the
19	A	,	19	_	general information that I had.
20	Q	Do you know whether she knew?	20	Q	The event went past two a.m.?
21	A	I don't know if she knew,	21	A	•
22	Q		22	Q	And the drinking went past two a,m.?
23	٨	a complaint was made about this particular location?	23	A	
24 25	A	I cannot say specifically for sure if she had a flier or	24 25	Q A	You had that information as well? Yes.
		if she had notes, but I believe she did have something		A	res.
		Page 31			Page 33
1		written about it with the information of what went on the	1	Q	Any other illegal activity that you were informed of
2		last Friday of the month at the location.	2		before you went there?
3	Q	Right. And we'll get to that in just a moment, but what	3	Α	That's all I can remember,
4		I'm indicating is not some general distribution, publicity	4	Q	So once you and Lieutenant Yost got inside, can you
5		as to what was going on at that location but an indication	5		describe the location both from the outside and then what
6		that someone had complained about illegal activity at that	6		it looked like once you got inside, if you can?
7		location.	7	A	Well, the 29th we didn't go inside. We stayed outside.
8	Α	I don't recall. She was really good about filling me in	8		But the date that we actually went inside was on April
9		on things, and I don't recall if she gave me the	9		26th.
10		specifics. She probably did, but I don't remember what	10		We went inside the door that was located on the
11		they were or, in fact, if she did; but that would be her	11		north side of the building. I believe they had two
12		practice to fill me in on it, and I just don't remember.	12		security people there. We were patted down, and then we
13	Q	, ,	13		went into the actual building, and there was a table set
14		preserved somewhere, documented somewhere, can you say?	14	_	up.
15		Depending on where it came from, if it was like a city	15	Q	*
16		council, an ombudsman complaint, a complaint that came	16	A	Yes, sir.
17		through liquor license, those were kept on file. We got	17	Q	
18		fliers in of illegal activity locations, you know, bars	18		officers are to carry a weapon at all times with them?
19		that may be having a special event or something like that.  These flight Light brow if the cetum a folder for	19	A	3, 3, 3
20		Those fliers, I don't know if she set up a folder for	20		it optional to carry your weapon off duty, but on duty,
21 22		those or not. So not knowing the source of the complaint	21	_	yes, but there are exceptions for these type purposes,
		or how it came through, I'm not sure if it would be on	22	Q	<u>o</u>
23 24		file anywhere.	23	λ	without a weapon on them; is that what you're saying?
25		Now, going to this particular date, which was March 29th, 2008, do you know what day of the week this was?	24 25	A	Yes. No weapon, no badge, no police ID. I had I believe we both had alternate identification provided from
		2000, so you man train they of the work this was:	23		seners we som had anothere agentification provided from

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# 10 (Pages 34 to 37)

			1		
		Page 34			Page 36
1		the State of Michigan with different names.	1		were trying to conceal your identify and presence; am I
2	Q	Let's go back to the first event now where you said you	2		right?
3		didn't go inside at all.	3	Α	Yes.
4	Α		4	Q	You also observed a white female drinking from a beer
5	Q	March 29, what did you do at that time?	5		bottle; is that correct?
6	Α	We parked on the east side of 12th Street, which is Rosa	6	Α	Yes.
7		Parks, directly across the street from the building and	7	Q	And is that illegal for her to have been drinking from a
8		watched people go in, get out of their cars, pull up in	8		beer bottle?
9		their cars, get out, and go into the building.	9	A	At that location?
10	Q	And how many people did you observe?	10	Q	Yes,
11	Α	Going into the building?	11	A	Drinking in public like that, yes.
12	Q	Yeah.	12	Q	But you did not arrest her, either; is that right?
13	Α	We probably stayed for a half an hour or so and probably	13	A	Did not.
14		fifteen to twenty, possibly more people pull up and go in.	14	Q	For the same reason, in order to conceal your presence and
15	Q	That's your recollection?	15		your identity; am I right?
16	Α	Yes, sir.	16	Α	Correct.
17	Q	. ,	17	Q	You smelled a strong odor of marijuana coming from a patio
18		into the building; is that correct?	18		area where several persons were gathered; is that correct?
19	A		19		Yes.
20	Q	*	20	Q	Again, you attempted no law enforcement action in terms of
21	A	It says writer observed several white males and females	21		arrests at that time; is that right?
22		entering the location through the side door.	22		Yes.
23	Q	Okay. And you believe that was fifteen or twenty people		Q	For the reasons that we have already mentioned, in an
24		is that right?	24		attempt to conceal your identity and presence; am l right?
25	A	Yes, sir.	25	Α	Yes.
		Page 35			Page 37
1	Q		1	Q	Page 37  You observed fifty to sixty vehicles parked in front of,
1 2	Q A	You observed one white male enter his vehicle?	1 `2	Q	
		You observed one white male enter his vehicle? Exit.		Q	You observed fifty to sixty vehicles parked in front of,
. 2	A	You observed one white male enter his vehicle? Exit.	`2	Q A	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?
3	A	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what	`2 3		You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.
· 2 3 4	A	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what appeared to be a fifth of liquor in his left front pant pocket; is that correct?	`2 3 4	A Q	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.
2 3 4 5	A Q	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what appeared to be a fifth of liquor in his left front pant pocket; is that correct?	`2 3 4 5	A Q	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.  Why is that pertinent that you observed those vehicles?
2 3 4 5	A Q A	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what appeared to be a fifth of liquor in his left front pant pocket; is that correct? Yes, sir.	.2 3 4 5 6	A Q	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.  Why is that pertinent that you observed those vehicles?  The proximity to the location, it kind of indicates how
2 3 4 5 6	A Q A Q	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what appeared to be a fifth of liquor in his left front pant pocket; is that correct? Yes, sir. And did that disclose to you illegal activity going on? Yes. In what way?	.2 3 4 5 6 7	A Q	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.  Why is that pertinent that you observed those vehicles?  The proximity to the location, it kind of indicates how many people could be in the location. There's nothing there's no other open businesses or anything else going on around there.
3 4 5 6 7 8	A Q A Q A	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what appeared to be a fifth of liquor in his left front pant pocket; is that correct? Yes, sir. And did that disclose to you illegal activity going on? Yes. In what way? I don't believe, in the City of Detroit, bringing your own	.2 3 4 5 6 7 8	A Q	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.  Why is that pertinent that you observed those vehicles?  The proximity to the location, it kind of indicates how many people could be in the location. There's nothingthere's no other open businesses or anything else going on
3 4 5 6 7 8	A Q A Q	You observed one white male enter his vehicle? Exit. Exit, excuse me, exit his vehicle and conceal what appeared to be a fifth of liquor in his left front pant pocket; is that correct? Yes, sir. And did that disclose to you illegal activity going on? Yes. In what way? I don't believe, in the City of Detroit, bringing your own liquor to an establishment, that it's not permitted.	2 3 4 5 6 7 8	A Q A	You observed fifty to sixty vehicles parked in front of, on the side of, and in the parking lot north of the location; is that correct, sir?  Yes.  Why is that pertinent that you observed those vehicles?  The proximity to the location, it kind of indicates how many people could be in the location. There's nothing—there's no other open businesses or anything else going on around there.  Did the presence of the vehicles in and of themselves suggest any illegality, criminality here?
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11 (Pages 38 to 41)

	11 (1090)	50 ,	CO 11/
	Page 38		Page 40
1	Q You also in this report describe what you observed in	1	A I believe he was a white male, heavyset, had some facial
2	considerable detail. Do you agree with that?	2	hair. He was bald.
3	A Yes.	3	Q Okay. Can you describe that facial hair?
4	Q For example, you mention that the man who exited his	4	A It was a goatee fashion.
5	vehicle and attempted to conceal what appeared to be a	5	Q Chin goatee, right?
6	fifth of liquor had the liquor not only in a pocket but in	6	A Yes. I'm refreshing myself with my report here.
7	his left front pocket which gives some detail for what you	7	Q And his age?
8	observed at that time; is that right?	8	A About thirty to thirty-five,
9	A Yes,	9	Q And the way you know that is because you recorded it at
10	Q And the reason that you provided that kind of detail was	10	the time in your PCR; am I right?
11	in order to record your recollection as best you could in	11	A Yes,
12	order to have an accurate and preserved recollection as to	12	Q You wouldn't remember that without having the PCR here to
13	what happened at that time and moment; am I right?	13	refresh your recollection, though, would you?
14	A Yes.	14	MR. ASHFORD; Remember what?
15	Q And that's what you're taught in terms of training with	15	BY MR, GOODMAN:
16	regard to report writing, and that's what's expected of	16	Q The details of this man's physical description.
17	you as a police officer and police supervisor with regard	17	A I believe I remember the heavyset and the baldness, maybe
18	to report writing; am I right, sir?	18	not so much the chin, you know, the facial hair, but, I
19	A Yes.	19	mean, I can almost picture him now vaguely. So a general
20	(WHEREUPON, Deposition Exhibit 2	20	<ul> <li>not as in depth as this was after it happened.</li> </ul>
21	was marked for identification.)	21	Q What I'm asking, I guess, another way of asking, the
22	BY MR. GOODMAN:	22	reason and the importance of writing down détails as to
23	Q I have now handed you what has been marked Buglo Exhibit	23	what occurred is so that you can have a good recollection
24	No. 2. Can you identify this, sir?	24	later for testifying in hearings such as this or in other
25	A Yes. It's a Preliminary Complaint Record that I completed	25	hearings as to what happened; is that right, sir?
	Page 39		Page 41
1	on April 26th, 2008, approximately 2:30 in the morning.	1	A Yes.
2	Q And this describes your second undercover surveillance	2	Q And that's important from a law enforcement perspective.
3	review of this location on Rosa Parks Boulevard; am I	3	Do you agree with that?
4	right?	4	A Yes.
5	A Yes.	5	Q Now, your report indicates that you paid a five-dollar
6	Q And the name of the location was known as the Contemporary	6	cover charge; am I right?
7	Art Institute of Detroit or the CAID, right?	7	A Yes.
8	A Yes.	8	Q And this was to the same gentleman who frisked you?
9	Q So if I refer to CAID as capital C, capital A, capital I,	9	A Yes,
10	capital D, you know what I'm talking about, right?	10	Q Did this gentleman frisk Lieutenant Yost, by the way?
11	A Yes,	11	A I don't recall.
12	Q This was approximately a month since your last visit to	12	Q Then it says you paid three dollars each for a one-month
13	the CAID, that is, April the 26th; am I right?	13	membership; is that right, sir?
14	A Yes,	14	A Yes.
15	Q And you were again dressed, and Lieutenant Yost was	15	Q So both you and Lieutenant Yost paid three dollars and
16	dressed similarly to the way which you had been dressed in	16	became members of the CAID; am I right?
17	March; am I right, sir?	17	A I don't know if we became members of the CAID or members
18	A Yes.	18	of whatever this was to get in the last Friday of the
19	Q This time you went into the CAID, and I think you have	19	month, but it was everybody that came in, I believe, it
20	already started to describe what happened. You said you	20	was three dollars for the monthly membership, and there
21	were patted down; am I right?	21	was another fee for I think a yearly membership. I don't
22	A Yes.	22	recall what that was.
23	Q Who patted you down?	23	Q But you became a member of something?
			Q Dat you became a member of semesting,
24	A A gentleman who was standing outside the door.	24	A Yes, sir.
24 25			

# 12 (Pages 42 to 45)

					•
		Page 42			Page 44
1		indicate that you're a member, a card or anything like	1		either Lieutenant Yost or myself called liquor license
2		that?	2		after the first observation that we did of the place. I
3	A	I don't recall specifically. I want to say we did, but I	3		don't recall which one of us called or which member called
4		don't recall specifically. I know we had to show a	4		liquor licensing to find out if the address had a liquor
5		picture ID, and I don't know if we got anything in return	5		license attached to it.
6		for the three dollars. I don't remember specifically,	6	·Q	And when you say liquor licensing, do you mean the
7	Q	And you have already indicated that the ID you showed wa	s 7		Michigan Liquor Control Commission or do you mean the City
8		a false ID provided to you as a law enforcement officer by	8		of Detroit?
9		the State of Michigan; is that right, sir?	9		City of Detroit.
10	A	Yes.	10		. A separate department or the police department?
11	Q	,	11	A	It's a unit within the police department, liquor licensing
12		right?	12		unit.
13	_	Correct,	13	Q	· ·
14	Q	6,	14	A	
1.5		that right, sir?	15	Q	•
16	A	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	16	A	
17	Q	* ***	17	Q	
18	Α	I don't believe so. I believe there was some computer	18	Α	Yes. I could read the description from the report if you
19		he had a laptop, and something was entered into a	19		would like,
20	~	computer. I don't recall him making a copy.	20	Q	
21	Q				Yes.
22		observed beer on tap and wine, boxed wine for sale; is	22		Is your recollection refreshed by looking at this police
23		that right?	23		report?
24		Yes.	24		Yes, it is.
25	Q	And how did you know it was for sale?	25	v	And she also had a tattoo on her left wrist; is that
		Page 43		····	Page 45
1	A	Page 43  There were people in front of us that were getting cups of	1		Page 45
1 2	A	_	1 2	<del>''</del>	
	A	There were people in front of us that were getting cups of		<del>''</del>	Page 45 right? Yes.
2		There were people in front of us that were getting cups of beer and cups of wine, and there was a money exchange	2 3	A	Page 45 right? Yes.
2 3		There were people in front of us that were getting cups of beer and cups of wine, and there was a money exchange between them and the bartender.	2 3	A Q	Page 45 right? Yes. Again, a detail which you can recall now by refreshing
2 3 4		There were people in front of us that were getting cups of beer and cups of wine, and there was a money exchange between them and the bartender.  So you observed commercial transactions going on involving	2 3 3	A Q	Page 45 right? Yes. Again, a detail which you can recall now by refreshing your recollection through the police report; am I right? Right.
2 3 4 5	Q	There were people in front of us that were getting cups of beer and cups of wine, and there was a money exchange between them and the bartender.  So you observed commercial transactions going on involving the payment of money for alcoholic beverages; is that	2 3 4 5	A Q A	Page 45 right? Yes. Again, a detail which you can recall now by refreshing your recollection through the police report; am I right? Right.
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13 (Pages 46 to 49)

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		Page 46			Page 48
1	Q	Was that the same patio that was described in your first	1		while you were there on April 26th or 25th?
2	•	PCR from March 29th?	2	Α	No. We did obtain the name of a person who was usually at
3	A	Yes.	3		the function. I believe it was a younger black male who
4	Q	And what happened? Did you go out into that patio or that			carried a backpack. I don't recall what his name was, but
5	_	yard?	5		we were told that he would sell marijuana and I believe
6	A	Yes, we did.	6		mushrooms if approached, but I didn't observe him there at
7	Q	Can you describe that series of events, please?	7		the time,
8	A		8	Q	Do you know who told you that?
9		There was people mingling around. It was a nice night,	9		I believe it was Dan, the guy that was rolling the
10		several people sitting at the pionic tables. Myself and	10		marijuana. If not him, it was somebody at the picnic
11		Lieutenant Yost talked to several people. We eventually	11		table.
12		sat down at one of the tables, and a gentleman pulled out	12	Q	But you never verified that one way or the other; is that
13		a baggie of what looked like marijuana and rolled some	13	_	right?
14		marijuana cigarettes, passed them around to the people at	14	Α	No. I never saw the black male matching that description,
15		the table,	15		and he wasn't there as far as the patrons I talked to. He
16	Q	Did he offer them to you and to Lieutenant Yost as well?	16		wasn't there at the time that we were there.
17	A		17	0	Did you see any or experience any alcohol being sold after
18	Q	Did you partake of marijuana?	18	•	two a.m.?
19	Ā		19	Α	I want to say that we purchased another beer after two, or
20	Q		20		our first purchase was after two, but I'm not positive.
21	A		21		Well, my report here says I purchased another beer at
22	Q		22		about 2:20, so at 2:20 I did purchase another beer from
23	•	not to use intoxicants in any way?	23		the bar,
24	A	Well, alcohol could be considered an intoxicant, I guess.	24	О	
25		I did drink the beer, but I did not partake of the	25	~	that there was illegal or criminal activity going on at
		,			
	-,,,,,,				
		Page 47			Page 49
1		Page 47 marijuana. That is illegal for police to do that, drugs.	1		A Selection to the second seco
1 2	Q		1	A	Page 49
	Q A	marijuana. That is illegal for police to do that, drugs.		A Q	Page 49 the bar? Serving alcohol after two is illegal.
2		marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?	. 5		Page 49 the bar? Serving alcohol after two is illegal.
2 3	A	marijuana. That is illegal for police to do that, drugs. And how many beers did you drink? I drank all of mine, and I believe I drank part of hers. "Hers" being Lieutenant Yost?	· 2	Q	Page 49 the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also
2 3 4	A Q	marijuana. That is illegal for police to do that, drugs. And how many beers did you drink? I drank all of mine, and I believe I drank part of hers. "Hers" being Lieutenant Yost?	· 2 3 4	Q	Page 49 the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20?
2 3 4 5	A Q	marijuana. That is illegal for police to do that, drugs. And how many beers did you drink? I drank all of mine, and I believe I drank part of hers. "Hers" being Lieutenant Yost? Lieutenant Yost, yes. She didn't like the taste of it at	`2 3 4 5	Q A Q	Page 49 the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20? No, she did not.
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2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A Q	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol—	. 2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q A A	Page 49  the bar?  Serving alcohol after two is illegal.  So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20?  No, she did not.  Did you consume that beer?  I believe I took a couple sips out of it, and I don't believe I finished it.  And then ten minutes later you observed approximately—Withdraw that question.  You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right?  Yes.  And you observed ten people standing in line,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A Q	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol—  I'm sorry. Go ahead. You can finish.  —in an unlicensed facility would have been illegal.	. 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q A Q	the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20? No, she did not. Did you consume that beer? I believe I took a couple sips out of it, and I don't believe I finished it. And then ten minutes later you observed approximately Withdraw that question. You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right? Yes. And you observed ten people standing in line, approximately ten people standing in line outside the door
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bettles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol —  I'm sorry. Go ahead. You can finish.  — in an unlicensed facility would have been illegal.	. 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A Q	the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20? No, she did not. Did you consume that beer? I believe I took a couple sips out of it, and I don't believe I finished it. And then ten minutes later you observed approximately Withdraw that question. You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right? Yes. And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol —  I'm sorry. Go ahead. You can finish.  — in an unlicensed facility would have been illegal.  Do you know whether the cans of beer, liquor bottles, or soda was purchased at the CAID?  I do not know if it was purchased there. I didn't see any	. 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q	the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20? No, she did not. Did you consume that beer? I believe I took a couple sips out of it, and I don't believe I finished it. And then ten minutes later you observed approximately Withdraw that question. You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right? Yes. And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right? Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol —  I'm sorry. Go ahead. You can finish.  — in an unlicensed facility would have been illegal.  Do you know whether the cans of beer, liquor bottles, or soda was purchased at the CAID?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q	the bar? Serving alcohol after two is illegal. So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20? No, she did not. Did you consume that beer? I believe I took a couple sips out of it, and I don't believe I finished it. And then ten minutes later you observed approximately—Withdraw that question. You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right? Yes. And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right? Yes. And, again, you note that vehicles were pulling into the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol —  I'm sorry. Go ahead. You can finish.  — in an unlicensed facility would have been illegal.  Do you know whether the cans of beer, liquor bottles, or soda was purchased at the CAID?  I do not know if it was purchased there. I didn't see any	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A Q	the bar?  Serving alcohol after two is illegal.  So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20?  No, she did not.  Did you consume that beer?  I believe I took a couple sips out of it, and I don't believe I finished it.  And then ten minutes later you observed approximately—Withdraw that question.  You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right?  Yes.  And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right?  Yes.  And, again, you note that vehicles were pulling into the location's parking lot as you drove off; is that right?  Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol  I'm sorry. Go ahead. You can finish.  in an unlicensed facility would have been illegal.  Do you know whether the cans of beer, liquor bottles, or soda was purchased at the CAID?  I do not know if it was purchased there. I didn't see any liquor or anything canned or bottled for sale.	. 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q	the bar?  Serving alcohol after two is illegal.  So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20?  No, she did not.  Did you consume that beer?  I believe I took a couple sips out of it, and I don't believe I finished it.  And then ten minutes later you observed approximately—Withdraw that question.  You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right?  Yes.  And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right?  Yes.  And, again, you note that vehicles were pulling into the location's parking lot as you drove off; is that right?  Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol  I'm sorry. Go ahead. You can finish.  in an unlicensed facility would have been illegal.  Do you know whether the cans of beer, liquor bottles, or soda was purchased at the CAID?  I do not know if it was purchased there. I didn't see any liquor or anything canned or bottled for sale.  Do you know whether the marijuana was purchased at the	12 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q A Q	the bar?  Serving alcohol after two is illegal.  So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20?  No, she did not.  Did you consume that beer?  I believe I took a couple sips out of it, and I don't believe I finished it.  And then ten minutes later you observed approximately—Withdraw that question.  You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right?  Yes.  And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right?  Yes.  And, again, you note that vehicles were pulling into the location's parking lot as you drove off; is that right?  Yes.  How many vehicles did you observe in the parking lot that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q	marijuana. That is illegal for police to do that, drugs.  And how many beers did you drink?  I drank all of mine, and I believe I drank part of hers.  "Hers" being Lieutenant Yost?  Lieutenant Yost, yes. She didn't like the taste of it at all. I didn't mind it.  You observed several people with cans of beer, liquor bottles, and soda containers; is that right, sir?  Yes.  As far as you were concerned, was there anything unlawful about the cans of beer, liquor bottles, or soda containers?  Well, I didn't see a license, a liquor license posted, and the research showed they didn't have one, so being in there with their alcohol  I'm sorry. Go ahead. You can finish.  in an unlicensed facility would have been illegal.  Do you know whether the cans of beer, liquor bottles, or soda was purchased at the CAID?  I do not know if it was purchased there. I didn't see any liquor or anything canned or bottled for sale.  Do you know whether the marijuana was purchased at the CAID?	. 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A Q A Q	the bar?  Serving alcohol after two is illegal.  So you purchased a beer at 2:20. Did Lieutenant Yost also purchase another beer at 2:20?  No, she did not.  Did you consume that beer?  I believe I took a couple sips out of it, and I don't believe I finished it.  And then ten minutes later you observed approximately—Withdraw that question.  You left the CAID about ten minutes after you purchased the beer which would have been at 2:30; am I right?  Yes.  And you observed ten people standing in line, approximately ten people standing in line outside the door waiting to get in; is that right?  Yes.  And, again, you note that vehicles were pulling into the location's parking lot as you drove off; is that right?  Yes.  How many vehicles did you observe in the parking lot that night, if you can recall?

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#### Daniel Buglo 9/21/2011

14 (Pages 50 to 53)

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		Page 50			Page 52
1		(Discussion off the record.)	1	Α	No, I did not know if the same people would be frequenting
2	В	Y MR. GOODMAN:	2		that night as a month prior.
3	Q	Now, again, that night you observed a series of illegal	3	Q	And even besides knowing it, you had no indication or
4	-	actions in and around the CAID when you were out there,	4		evidence that there would be any of the same people there,
5		and by "that night" I'm referring to April 26th, 2008, and	5		did you?
6		April 25th; is that right, sir?	6	Α	Did not.
7	Á	April - Yes. I believe it all occurred on the 26th. It	7		MR. GOODMAN: Would you mark this as Exhibit No.
8		was after midnight.	8		3.
9	Q	It was after midnight. So everything, your arrival there	9		(WHEREUPON, Deposition Exhibit 3
10		and the whole situation that is observed and recorded in	10		was marked for identification.)
11		Buglo Exhibit No. 2 occurred on April 26th, 2008, correct?	11	BY	Y MR, GOODMAN:
1.2	Α	Yes.	12	Q	Sergeant Buglo, I have handed you what has been marked
13	Q	And I think you have agreed there were a number of illegal	13		Buglo Deposition Exhibit 3. Can you identify that, sir?
14		actions that happened; is that right?	14	A	It looks like a Detroit Police Department Activity Log
15	Α	Yes.	15		from March 28th, 2008.
16	Q	And you made no arrests; is that right?	16	Q	Is this your activity log?
17	A	Correct. We did not.	17	Α	This is mine and my crew's activity log.
18	Q	And other than the name, quote, Dan, unquote, you made no	18	Q	This would be for March 28th, 2008; is that correct?
19		identification of anybody who was engaged in illegal	19	Α	Yes.
20		activity. Am I right about that?	20	Q	And what shift would that be?
21	A	By name, that's correct.	21	A	It looks like we started at three. It would be three to
22	Q	Did you observe, when you went into this location, the	22		eleven. No. Three to three we got off duty, so we must
23		CAID, on April 26th, the same people that you had observed	23		have been on overtime.
24		there when you had been there a month approximately a	24	Q	So this shift extended into March the 29th; is that
25		month earlier on March 29?	25		correct?
		Page 51			Page 53
1	A	The only one that looked the same would have been the	1	A	Correct.
2		doorman, the person working the door. We didn't go inside	2	Q	And, therefore, this activity log should record Well,
3		the first time so	3	-	withdraw that.
4	Q	I'm sorry.	4		What is an activity log, and what is it supposed
5	A	So, no, the only one I would have recognized would have	5		to report?
6		been the doorman. I didn't see a bartender or any other	6	Α	It's supposed to record the activities and the enforcement
7		people from outside.	7		actions that were taken during the tour of duty listed.
8	Q	But you did see people on March 29th outside the building	8	Q	And your name and your signature are both attached to this
9		you saw individuals who were going into the building,	9		activity log; is that right?
10		coming out of the building. Am I right about that?	10	Α	That's correct.
11	Α	Yes,	11	Q	Now, do sergeants routinely have activity logs in the
12	Q	You mentioned fifteen to twenty approximately, at least;	12		Detroit Police Department that document their activity
13		is that right, sir?	13		over any particular shift?
14	A.	Yes.	14	Α	Yes.
15	Q	And were you able to observe, while you were in the CAID	15	Q	Every particular shift that they work?
16		on April 26th, any of the same individuals that you	16	A	Patrol sergeants do have an individual activity log.
1.7		observed on March 29th, if you know?	17		Entities like narcotics and vice, they do what's called a
18	Α	No, I do not know.	18		crew activity log where the whole crew is on one log.
19	Q	So is it fair to say that upon your return a third time to	19	Q	So that's what we're looking at here in Buglo Exhibit 3;
20		the CAID, you had no indication whatsoever that any of the	20		is that right, sir?
21		same individuals who had been in there on March the 29th	21	Α	Yes.
22		and on April the 26th would be in there if you were to	22	Q	And is there a crew activity log, in your experience, for
23		return a month later; am I right?	23		every shift that you work as a or worked as a
24	A	Did I know if the same people would be there?	24		supervisor within the vice enforcement unit?
25	Q	Yes.	25	A	The majority of the time there is. If you're like on the

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#### 15 (Pages 54 to 57)

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		Page 54			Page 56
1		street, there would be. If you're, say, assigned out to	1	0	Because, in each instance, these events occurred only on
2		work the Tiger game or a different detail, something like	2	~	the last Friday of every month as you understood; is that
3		that, you may not have an activity log. You would just be	3		correct, sir?
4		carried as assigned out. You wouldn't have to do an	4	Α	Yes.
5		activity log.	5		(Discussion off the record.)
6	Q		6		(WHEREUPON, Deposition Exhibit 4
7	•	significance that you do as a law enforcement officer	7		was marked for identification.)
8		during that period of time; am I right?	8	В	Y MR, GOODMAN:
9	Α	_	9	Q	Okay. I've handed you what has been marked as Buglo
10	Q	Now, I note here that there appears to be, anyway and	10		Exhibit No. 4. Can you identify that, sir?
11		you can tell me whether I'm right or wrong about it.	11	Α	It's a Detroit Police Department Crime Report.
12		There's no indication of the undercover review	12	Q	And this is what we have referred to earlier in this
13		surveillance that you did at the CAID on March 29th; am I	13		deposition as a CRISNET; is that right?
14		right?	14	Α	Yes, sir.
15	A	No, there does not appear to be. It is not, in fact,	15	Q	And there is a point one at the end of the report number;
16		listed on there.	16		is that right?
17	Q	Can you explain that?	17	Α	Correct.
18	Α	We worked a Tiger ball game that day, and Lieutenant Yos	18	Q	Which indicates that there may be more than one segment or
19		and I would have broken away from the crew while they	19		section to this crime report; is that right, sir?
20		caught the paperwork up towards the end of the night, so	20	A	Yes.
21		we would have went out and did this observation. It	21	Q	Is the third surveillance review that you did reflected or
22		should have been technically, it should have been	22		indicated anywhere in this report?
23		listed on the activity log. The officer that did the	23		No, it's not. Maybe it is.
24		activity log was probably Officer Johnson, and it was left	24	Q	If I can refresh your recollection, I'll ask you to turn
25		off. Why it was left off, I couldn't tell you, but on the	25		to page 7, the last page.
		Page 55			Page 57
1		Page 55 cover sheet that was done at the end of the night, it may	1	A	Page 57 Yes, I just turned to page 7 and saw that it is.
1 2	-		1	A Q	Yes, I just turned to page 7 and saw that it is.
		cover sheet that was done at the end of the night, it may			Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct?
2	Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should	2	Q	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes.
2 3	Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.	2 3	Q A	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes.
2 3 4	Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general	2 3 4	Q A	Yes, I just turned to page 7 and saw that it is.  So it is recorded and reflected there; is that correct?  Yes.  And that indicates what happened by way of your undercover
2 3 4 5	Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general proposition you attempted three undercover surveillance	2 3 4 5	Q A Q	Yes, I just turned to page 7 and saw that it is.  So it is recorded and reflected there; is that correct?  Yes.  And that indicates what happened by way of your undercover surveillance aspect of this operation. Describe it,
2 3 4 5 6	Q A	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general proposition you attempted three undercover surveillance review sessions before you undertake a raid itself; is	2 3 4 5 6	Q A Q	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes. And that indicates what happened by way of your undercover surveillance aspect of this operation. Describe it, please. Describe what happened?
2 3 4 5 6 7	. Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general proposition you attempted three undercover surveillance review sessions before you undertake a raid itself; is that right, sir?  Not necessarily undercover so far as an officer entering in, but three observations of the location.	2 3 4 5 6 7	Q A Q A Q	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes. And that indicates what happened by way of your undercover surveillance aspect of this operation. Describe it, please. Describe what happened?
2 3 4 5 6 7 8	. Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general proposition you attempted three undercover surveillance review sessions before you undertake a raid itself; is that right, sir?  Not necessarily undercover so far as an officer entering in, but three observations of the location.  Was that done in the case of the CAID?	2 3 4 5 6 7 8	Q A Q A Q	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes. And that indicates what happened by way of your undercover surveillance aspect of this operation. Describe it, please. Describe what happened? Yes.
2 3 4 5 6 7 8	A	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general proposition you attempted three undercover surveillance review sessions before you undertake a raid itself; is that right, sir?  Not necessarily undercover so far as an officer entering in, but three observations of the location.  Was that done in the case of the CAID?  Yes.	2 3 4 5 6 7 8	Q A Q A Q	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes. And that indicates what happened by way of your undercover surveillance aspect of this operation. Describe it, please. Describe what happened? Yes. Lieutenant Yost and I entered the location to make sure that there was still illegal activity going on. If there was not illegal activity going on, then the search warrant
2 3 4 5 6 7 8 9 10 11	A Q A Q	cover sheet that was done at the end of the night, it may be listed on there, but I'm not positive, but it should not have been left off.  I think you have indicated earlier that as a general proposition you attempted three undercover surveillance review sessions before you undertake a raid itself; is that right, sir?  Not necessarily undercover so far as an officer entering in, but three observations of the location.  Was that done in the case of the CAID?  Yes,  What were the three dates?	2 3 4 5 6 7 8 9	Q A Q A Q	Yes, I just turned to page 7 and saw that it is. So it is recorded and reflected there; is that correct? Yes. And that indicates what happened by way of your undercover surveillance aspect of this operation. Describe it, please. Describe what happened? Yes. Lieutenant Yost and I entered the location to make sure that there was still illegal activity going on. If there was not illegal activity going on, then the search warrant would not have been executed. We paid our five-dollar
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#### Daniel Buglo 9/21/2011

16 (Pages 58 to 61)

	Page 58	Page 6	0
1	A The same way.	1 A Served and consumed.	
2	Q Now, did you observe any illegal activity going on while	2 Q And consumed and paid for; is that right, sir?	
3	you were in the CAID location?	3 A Yes.	
4	MR. ASHFORD: Objection, asked and answered.	4 Q And is that an illegal act as far as you know?	
5	Well, maybe not. Go ahead. I'm sorry. Withdraw that	5 A To offer alcohol for sale in an unlicensed establishmen	nt?
6	objection,	6 Yes.	
7	BY MR. GOODMAN:	7 Q And that, again, would be an illegal act on the part of	
8	Q Over objection anyway, would you please answer?	8 the operator of the CAID; is that correct, sir?	
- 9	A I did purchase a cup of beer from the same person that was	9 A Yes.	
10	there a month prior,	10 Q And of the bartender, the blonde woman with the	
11	Q Who was that person?	11 shoulder-length hair, right?	
12	A The white female with the shoulder-length hair.	12 A Yes.	
1.3	Q Shoulder-length blonde hair?	13 Q What about the person purchasing the beer or the alco	hol?
14	A And the Chinese writing on her I believe it was her	14 A If it's after two a.m., it would be.	
15	left wrist.	15 Q But before two a.m., would there be anything on its fa	
16	Q Tattoo?	16 unlawful about buying alcohol in an establishment simp	
17	A Yes, sir. And the odor of marijuana was pretty prevalent,	17 because that establishment does not have a license to se	all
18	also.	such alcohol as far as you know?	
19	Q Is that recorded anywhere in this document you have before		
20	you which is Buglo Exhibit 4?	20 Q And what would that How would that be illegal?	
21	A Is what recorded?	21 A Selling alcohol by an unlicensed establishment?	
22	Q Your observation that marijuana was being ingested.	Q I'm talking about the purchase, not the sale.	
23	A Just the odor. I smelled it. I did not It is not	23 A Oh, the purchase?	
24	written in this portion of the report.	24 Q Yeah,	
25	Q You just recall it but didn't write it down at the time;	25 A Well, it's an unlicensed liquor license establishment, se	D
	Page 59	Page 6	1
1	Page 59 is that right, sir?	Page 6  the alcohol shouldn't be for sale at all. Whether the	51
1 2	<del>-</del>	~	51
	is that right, sir?	<ol> <li>the alcohol shouldn't be for sale at all. Whether the</li> </ol>	51
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· 2	is that right, sir?  A Yes, sir.  Q Go ahead.  A And the purchase of the alcohol, the cover charge.  Q What was illegal about the cover charge?	<ol> <li>the alcohol shouldn't be for sale at all. Whether the</li> <li>patron knows it's illegal or not I guess would be on the</li> <li>patron.</li> <li>Q You're saying that on its face it would be, as a law</li> <li>enforcement officer and one who for a period of three</li> </ol>	
2 3 4	is that right, sir?  A Yes, sir.  Q Go ahead.  A And the purchase of the alcohol, the cover charge.  Q What was illegal about the cover charge?  A I believe charging members to get into a location and	the alcohol shouldn't be for sale at all. Whether the patron knows it's illegal or not I guess would be on the patron.  Q You're saying that on its face it would be, as a law enforcement officer and one who for a period of three years engaged in vice enforcement, it would be a basis for	or
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#### Daniel Buglo 9/21/2011

# 17 (Pages 62 to 65)

couple for engaging in a place of illegal occupation, but the majority were for loitering.  Q All right. We'll get to that in a moment.  And are you saying that the illegal activity  would be loitering in a place that is unlicensed to sell alcohol where there are alcohol sales going on regardless of whether there's any evidence that person knew or did not know that the establishment was licensed? Is that your statement?  MR. ASHFORD: Objection, asked and answered.  MR. GOODMAN:  BY MR. GOODMAN:  What is GOODMAN:  BY MR. GOODMAN:  What GOODMAN:  A Yes.  G Going to the top of what has been — the first page of what has been marked Buglo Exhibit 4, the first paragraph states, quote, "On the above date and time, vice enforcement, narcotics code 3025 and 2913 and tactical mobile, district executed a search warrant number 08001827 on 5141 Rosa Parks Boulevard with the following enforcement actions:" And then there's a whole series of enforcement actions that are described. First of all, what is code 3025, sir?  A That's a narcotics crew code. That would be the sergeant and whatever officers are assigned under him, that would		1, (1030)	. 02 .	,
the majority were for loticering.  Q All right. We'll get to that in a moment. And are you saying that the illegal activity would be loticring in a place that is unifcensed to sell allow there there are alcohols alse spoing on regardless of whether there's any evidence that person knew or did not know that the establishment was licensed? Is that your statement?  MR. ASIFORD: Objection, asked and answered. MR. GOODMAN: I don't think so.  Sy MR. GOODMAN: I don't think so.  A Yes.  G Golag to the top of what has been — the first page of what has been marked Buglo Eathbit 4, the first paugruph status, quots, 'On'the show date and timo, vice enforcement, narrotics code 3025 and 2913 and auctical mobile, district executed a search warrant number 08001827 on 5141 Rosa Parks Boulevard with the following when the sold 3025, ard; and whatever officers are assigned under him, that would so that there were a group of Officers from the anxectics and whatever officers are assigned under him, that would so that there were a group of Officers from the anxectics and whatever officers are assigned under him, that would so that there were a group of Officers from the navocitics and any officer from the district officers, what warrant, what do you make acciting its half right, sir?  A Two segments most likely and probably between five and warrant in a particular district executed a search  A Two segments most likely and probably between five and warrant in a particular district section of the sarch and the power warrant in a particular district is the first pangraph of your affidavit; is that right?  A Two segments most likely and probably between five and warrant in a particular district excelled a search  Warrant, what do you stome district officers, what I warrant is particular district		Page 62		Page 64
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of whether there's any evidence that person knew or did not know that the establishment was licensed? Is that your statement?  MR. ASHFORD: Objection, asked and answered. MR. GOODMAN: I don't think so.  By MR. GOODMAN: I don't think so.  Comment of the word objection please.  MR. GOODMAN: I don't think so.  Comment of the same that the state of the same that the same assistant processing a same that the same marked Buglo Exhibit 14, the first page of what has been marked Buglo Exhibit 4, the first page of what has been marked Buglo Exhibit 4, the first page of what has been marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhibit 4, the first page of the more marked Buglo Exhib				· · · · · · · · · · · · · · · · · · ·
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15   Q Going to the top of what has been — the first page of what has been marked Buglo Exhibit 4, the first pangraph states, quote, "On the above date and time, vice   16   Q And who is that?   17   A It's my signature.   18   Q And there's some notation below the line where your signature appears, and I can't read finat. Can you?   19   on 5141 Rosa Parks Boulevard with the following enforcement actions: "And then there's a whole series of enforcement actions that are described. First of all, what is code 3025, sir?   20   Yesh.   21   What is code 3025, sir?   22   Q Yesh.   23   A Ibelieve it's DeYoung.   24   A That's a narcotics corew code. That would be the sergeant and whatever officers are assigned under him, that would   25   A And there's a P number.   26   Q You're right.   26   Q And who is that?   27   Q Yesh.   28   Q Yesh.   29   Yes				-
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25 located m? 25 see that?				
1	25	located m7	25	see mar?

18 (Pages 66 to 69)

		Page 66			Page 68
1.	Α	Yes.	1	Q	In fact, what happened on that date, May 24th?
2	Q	Is it your testimony here today that there was more than	2	À	Was that the raid date? I'm not positive what happened on
3		one complaint of that activity?	3		May 24th.
4	Α	I believe there was a complaint that Lieutenant Yost had,	4	Q	I believe the raid date would have been the 31st. You can
5		I want to say from liquor license, but I'm not positive.	5	-	verify by looking at the CRISNET report,
6		I know there was another complaint, a noise complaint	б	Α	I see what you're saying. May 24th, that's probably a
7		generated from someone in the neighborhood, so there was	7		typographical error.
8		at least I believe two.	8	Q	What happened? When you say it's a typographical error,
9	Q	All right. After that it indicates that you conducted,	9		what is an error, the date?
10		quote, review investigation of the location, correct, sir?	10	Α	The date was probably an error. This looks like what I
11	A	Yes.	11		typed into one of the PCRs.
12	Q	And the affidavit goes on to describe your actions on	12	Q	Well, what date
13		March 29th, April 26th and April 26th of what is also	13	Α	When Lieutenant Yost and I entered the location.
1.4		recorded in your PCRs which are Buglo Exhibits 1 and 2; is	14	Q	On what date did these things happen?
15		that right, sir?	15	A	It looks like this was the first observation we did,
16	A	Could you repeat that?	16		Lieutenant Yost and I, which would have been on probably
17	Q	Yeah, sure. I'm sorry. You describe what happened at the	17		March was it March 24th?
18		CAID on March 29th and then again on April 26th when you	1 18	Q	March 29th, I believe.
19		and Lieutenant Yost appeared there as undercover officers;	19	A	•
20		is that correct, sir?	20	Q	
21	A	- 1	21		just looking at, it states that, quote, "Two canopies were
22	Q	, , ,	22		also set up in the yard," unquote. Do you see that?
23		what you described in your PCRs that we have already	23	Α	•
24		discussed; is that correct, sir?	24	Q	
25	A	Yes, correct.	25		third page of your affidavit.
		Page 67			Page 69
1	Q		1	A	Page 69 Okay. I see the canopies part.
<b>1</b> 2	Q		1 2	A Q	Okay. I see the canopies part.
	Q	And the PCRs are, for the record, what have been marked			Okay. I see the canopies part.
2	Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that	2 3 4	Q	Okay. I see the canopies part.  Okay. That wasn't described in either of your earlier
2	Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments here	2 3 4	Q	Okay. I see the canopies part.  Okay. That wasn't described in either of your earlier PCRs, was it?  No.  And then at the bottom of that paragraph, the last
2 3 4	Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that	2 3 4	Q A	Okay. I see the canopies part.  Okay. That wasn't described in either of your earlier  PCRs, was it?  No.  And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s,
2 3 4 5	Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that?	2 3 4 5	Q A	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as
2 3 4 5		And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is	2 3 4 5 6 7 8	Q A	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the
2 3 4 5 6	A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.	2 3 4 5 6 7 8 9	Q A	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes."
2 3 4 5 6 7 8	A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)	2 3 4 5 6 7 8	Q A	Okay. I see the canopies part.  Okay. That wasn't described in either of your earlier PCRs, was it?  No.  And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes."  Now, Sergeant, it appears that what you're
2 3 4 5 6 7 8	A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:	2 3 4 5 6 7 8 9 10	Q A	Okay. I see the canopies part.  Okay. That wasn't described in either of your earlier PCRs, was it?  No.  And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes."  Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred
2 3 4 5 6 7 8 9	A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?	2 3 4 5 6 7 8 9 10 11	Q A	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin
2 3 4 5 6 7 8 9 10	A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits	2 3 4 5 6 7 8 9 10 11 12	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right?
2 3 4 5 6 7 8 9 10 11 12 13	A Q B' Q A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes.
2 3 4 5 6 7 8 9 10 11 12	A Q B' Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q B' Q A Q A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q B Q A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q B' Q A Q A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.  Strike that.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q B' Q A Q A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes,  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.  Strike that.  At the bottom of the third page of this exhibit,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatec in earlier PCRs; is that right? Yes. So this is not describing This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right? Yeah. I was looking at my calendar to go back to see what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q B' Q A Q A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.  Strike that.  At the bottom of the third page of this exhibit, which is Buglo Exhibit 5, it indicates that a surveillance	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right? Yeah. I was looking at my calendar to go back to see what day of the week that was, and it was a Saturday, and this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q B' Q A Q A	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.  Strike that.  At the bottom of the third page of this exhibit, which is Buglo Exhibit 5, it indicates that a surveillance was conducted at the CAID location on May 24th, 2008, at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right? Yeah. I was looking at my calendar to go back to see what day of the week that was, and it was a Saturday, and this most likely was a separate observation.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q B Q A Q A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments here to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me. Strike that.  At the bottom of the third page of this exhibit, which is Buglo Exhibit 5, it indicates that a surveillance was conducted at the CAID location on May 24th, 2008, at 2:05 a.m. Do you see that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right? Yeah. I was looking at my calendar to go back to see what day of the week that was, and it was a Saturday, and this most likely was a separate observation. This is a separate observation that you believe you made
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q B Q A Q A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.  Strike that.  At the bottom of the third page of this exhibit, which is Buglo Exhibit 5, it indicates that a surveillance was conducted at the CAID location on May 24th, 2008, at 2:05 a.m. Do you see that?  Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right? Yeah. I was looking at my calendar to go back to see what day of the week that was, and it was a Saturday, and this most likely was a separate observation. This is a separate observation that you believe you made on —
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q B Q A Q A Q	And the PCRs are, for the record, what have been marked Buglo Exhibits 1 and 2.  Is there anything in your affidavit which describes what occurred on March 29th and April 26th that is not in your PCRs? And you may take a few moments her to read them if you wish. Would you like to do that? Sure.  Go ahead. We'll go off the record until the witness is ready.  (Discussion off the record.)  Y MR. GOODMAN:  Do you want the question read back?  I believe you asked were the reports and affidavits substantially the same?  Yes.  Yes, they are.  Now, the last paragraph of the affidavit Pardon me.  Strike that.  At the bottom of the third page of this exhibit, which is Buglo Exhibit 5, it indicates that a surveillance was conducted at the CAID location on May 24th, 2008, at 2:05 a.m. Do you see that?  Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	Okay. I see the canopies part. Okay. That wasn't described in either of your earlier PCRs, was it? No. And then at the bottom of that paragraph, the last sentence of that paragraph, it states, "A white male/30s, bald, chin goatee beard, appeared to be the door man (as he was on previous occasions.) Affiant watched the location for approximately 15 minutes." Now, Sergeant, it appears that what you're talking about here is another surveillance that occurred sometime, because you have described the man with the chin goatee in earlier PCRs; is that right? Yes. So this is not describing — This last paragraph of page 3 of your affidavit, which is Buglo Exhibit 5, does not describe anything that occurred on March 29th because you didn't see that man on March 29th; am I right? Yeah. I was looking at my calendar to go back to see what day of the week that was, and it was a Saturday, and this most likely was a separate observation. This is a separate observation that you believe you made on — May 24th at 2:05 a.m.

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#### Daniel Buglo 9/21/2011

# 19 (Pages 70 to 73)

	13 (1490)	, 0 -	30 737
	Page 70		Page 72
1	A Yes.	1	Q You keep your schedule, a diary on your telephone?
2	Q And it was your observation; is that right?	2	A No. I went to the calendar function and just scrolled
3	A I would have been there, and I don't know who I would have	3	back three years to 2008.
4	been with. I would have to go back and see the activity	4	Q So if May the 24th was a Saturday, I think it's fair to
5	log and confirm who I would have been with then.	5	say that May the 23rd was and would have been a Friday; is
6	MR. GOODMAN: I would request that we be	6	that right?
7	provided with a copy of that activity log for that date so	7	A Yes. For your purposes with the activity log, you would
8	that we can question this witness in connection with those	8	probably want the May 23rd activity log, because we would
9	particular events.	9	have started at seven p.m. on the 23rd, and the events
10	BY MR. GOODMAN:	10	would have been recorded after midnight.
11	Q Did you fill out a PCR for that particular	11	Q But May the 23rd was not the last Friday of May of 2008.
12	A It's my practice to, and I would have. Like I said, I	12	It was the second from last Friday of that month and year,
13	would have to research or the files would have to be	13	right?
14	pulled from that date to see if, in fact, there is one,	14	A Yes.
15	but that's the common practice.	15	Q Why were you out there on that particular date since you
16	MR. GOODMAN: I would request the PCR from that	16	had focused on these Funk Nights which I think you had
17	particular date and observation.	17	previously testified occurred on the last Friday of every
18	BY MR, GOODMAN:	18	month in your understanding?
19	Q Do you see that your affidavit is signed May 29th, 2008?	19	A Like I said a few minutes before, something may have come
20	A That's the date that the prosecutor put under his	20	into the office. I don't want to speculate, but there was
21	signature, yes.	21	some reason that we went there on that night. I don't
22	Q When do you think you filled out and signed the affidavit?	22	remember exactly why it was we went there on that Friday.
23	A Same day. It would have been the same day.	23	Maybe it was to see if there was any activity going on on
24	Q So that would have been five days after May the 24th; am I	24	any other Fridays, but there was some reason that we went
25	right?	25	
	right.		on May 24th,
	Page 71		Page 73
1	Page 71 A Yes.	1	Page 73  Q And you can't say at this time what that reason was?
2	Page 71  A Yes.  Q And two days before May 31st when you executed the raid	1 2	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.
2 3	Page 71  A Yes.  Q And two days before May 31st when you executed the raid am I right, sir?	1 2 3	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.  Q On the fourth page of your affidavit, if you would turn to
2 3 4	Page 71  A Yes.  Q And two days before May 31st when you executed the raid am I right, sir?  A Yes.	1 2 3 4	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.  Q On the fourth page of your affidavit, if you would turn to Buglo Exhibit 5, you indicate that earlier that day, on
2 3 4 5	Page 71  A Yes.  Q And two days before May 31st when you executed the raid am I right, sir?  A Yes.  Q Or executed the warrant.	1 2 3 4 5	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.  Q On the fourth page of your affidavit, if you would turn to Buglo Exhibit 5, you indicate that earlier that day, on May the 29th, in fact, you had spoken with someone at the
2 3 4 5	Page 71  A Yes.  Q And two days before May 31st when you executed the raid am I right, sir?  A Yes.  Q Or executed the warrant.  So at the time that you filled out this	1 2 3 4 5 6	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.  Q On the fourth page of your affidavit, if you would turn to Buglo Exhibit 5, you indicate that earlier that day, on May the 29th, in fact, you had spoken with someone at the business license department of the city and somebody with
2 3 4 5 6 7	Page 71  A Yes.  Q And two days before May 31st when you executed the raid am I right, sir?  A Yes.  Q Or executed the warrant.  So at the time that you filled out this affidavit, is it fair to say that you had a fresh	1 2 3 4 5 6	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.  Q On the fourth page of your affidavit, if you would turn to Buglo Exhibit 5, you indicate that earlier that day, on May the 29th, in fact, you had spoken with someone at the business license department of the city and somebody with the liquor licensing of the police department; is that
2 3 4 5 6 7 8	Page 71  A Yes.  Q And two days before May 31st when you executed the raid am I right, sir?  A Yes.  Q Or executed the warrant.  So at the time that you filled out this affidavit, is it fair to say that you had a fresh contemporaneous recollection of the events that occurred	1 2 3 4 5 6 7	Page 73  Q And you can't say at this time what that reason was?  A I don't recall what it was, sir.  Q On the fourth page of your affidavit, if you would turn to Buglo Exhibit 5, you indicate that earlier that day, on May the 29th, in fact, you had spoken with someone at the business license department of the city and somebody with the liquor licensing of the police department; is that correct, sir?
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#### Daniel Buglo 9/21/2011

#### 20 (Pages **74** to **77**)

		20 (1490)	/ TX		• • •
		Page 74			Page 76
1	Α	Yes.	1		believe was collecting money and selling the memberships
2	0		2		and taking the cover charge.
3	•	cause to believe that the CAID was operating an illegal	3	Q	
4		operation by way of selling any alcoholic beverages at	4	-	Here it has, yes, Mr. Timlin is the doorman, and also
5		5141 Rosa Parks Boulevard; is that right?	5	71	Christopher Shoemaker as a doorman.
6	Α	_	6	Q	
7	o		7	A	
8	V	but not limited to marijuana; is that right?	8		
9	Α	·	1	Q	•
1.0	0		9		the woman with shoulder-length blonde hair? Yes.
11	V	at that location at that time?	10	A	
12		Any other	11	Q	
13			12	A	
	Q	•	13	Q	1 1
14		No, I did not.	14		they arrested and taken into custody?
15	Ų	And you also indicate that you have probable cause to	15	Α	I don't believe we made any arrests that night, so
16		believe that this operation created a public nuisance	16	_	everyone would have gotten a citation and released.
17		threatening the peace and good order of the neighborhood;	17	Q	Starting with defendant number 5, Kayla Arlette-Whitney
18		is that correct, sir?	18		Burton, were all of the other people who were cited or
19		Yes,	19		handed citations that night people who were customers or
20	Q	And you indicate that an assortment of contraband would be			patrons of the CAID?
2,1		found in the building itself if you were to engage in a	21	A	It would appear so. I'm trying to go through this as
22		search, correct?	22		quick as possible.
23	Α	Yes, that's what I believed.	23	Q	Go ahead. Take your time. I don't want to rush you,
24	Q	3	24		Take your time and read through it.
25		be executed in the early morning hours of May 31st, 2008.	25	Α	Yes.
		Page 75	<u> </u>		Page 77
1		<u>-</u>	1	0	
1		That was the essence of relief in your affidavit; am I	1 2		Okay. So that means that there were 130 patrons or
	A	<u>-</u>	2		Okay. So that means that there were 130 patrons or customers or people who were inside the CAID who were
2	1.0	That was the essence of relief in your affidavit; am I right, sir? Yes.			Okay. So that means that there were 130 patrons or customers or people who were inside the CAID who were issued citations that night; am I right about that?
2	1.0	That was the essence of relief in your affidavit; am I right, sir?  Yes.  Now, I want to go back to Exhibit No. 4 which is the	2 3 4	A	Okay. So that means that there were 130 patrons or customers or people who were inside the CAID who were issued citations that night; am I right about that?  Yes.
2 3 4	1.0	That was the essence of relief in your affidavit; am I right, sir?  Yes.  Now, I want to go back to Exhibit No. 4 which is the CRISNET that in part describes what happened during the	2 3 4 5	A Q	Okay. So that means that there were 130 patrons or customers or people who were inside the CAID who were issued citations that night; am I right about that?  Yes.  And was everybody who was located inside the CAID location
2 3 4 5	Q	That was the essence of relief in your affidavit; am I right, sir?  Yes.  Now, I want to go back to Exhibit No. 4 which is the CRISNET that in part describes what happened during the raid; is that right?	2 3 4 5 6	A Q	Okay. So that means that there were 130 patrons or customers or people who were inside the CAID who were issued citations that night; am I right about that?  Yes.  And was everybody who was located inside the CAID location cited or given a citation
2 3 4 5 6 7	Q	That was the essence of relief in your affidavit; am I right, sir? Yes. Now, I want to go back to Exhibit No. 4 which is the CRISNET that in part describes what happened during the raid; is that right? Which one?	2 3 4 5 6 7	A Q	Okay. So that means that there were 130 patrons or customers or people who were inside the CAID who were issued citations that night; am I right about that?  Yes.  And was everybody who was located inside the CAID location cited or given a citation I don't know.
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21 (Pages 78 to 81)

	Page 78		Page 80
1	A I don't remember. I remember there was music, and I	1	Q And the citation was for loitering in a place of illegal
2	definitely know there was a DJ. 1 don't have if there was	2	occupation; is that correct, sir?
3	live music.	3	A Yes.
4	Q Was the DJ given a citation?	4	Q And what was the legal authority upon which this citation
5	A I don't know. If he was there, he should have been.	5	was issued? What law, in other words, authorized you to
6	Normally, he would have been issued one, but I can't say	6	issue this citation as you understood it?
7	specifically if he was.	7	A They were in a place that was providing entertainment,
8	Q Now, this, what you have described as what happens	8	selling alcohol after the legal hour. It was an
9	normally, which is that everyone is given a citation, was	9	unlicensed business or liquor licensed establishment.
10	that the policy of the Detroit Police Department at the	1.0	Q That was the factual basis for why you issued these people
11	time of this particular incident which would have been May	11	the citations that were issued; am I right about that?
12	31st, 2008?	12	A Yes.
13	MR. ASHFORD: Objection, no foundation.	13	Q What was the legal foundation for that, as you understood
1.4	BY MR. GOODMAN:	14	it? Was it a city ordinance, a state law, or anything
L 5	Q Over objection, you may answer.	15	else that you were aware of?
L 6	MR. ASHFORD: Go ahead. You can answer.	16	A A city ordinance.
L 7	THE WITNESS: I don't know of any policy that's	17	Q Were you familiar with that ordinance at the time of this
L 8	written. These tickets are discretionary. You can write	18	particular raid which had been May the 31st, 2008?
L9	the citation or not write the citation. There is not a	19	A Familiar to the extent that I have written it several
20	shall statement that says everyone that enters shall be	20	times before this actual raid, yes.
11	written or arrested, or there's not that type of wording	21	Q Written what?
22	in the policy.	22	A Loitering in a place of illegal occupation.
23	BY MR. GOODMAN:	23	Q You have written those citations in the past; is that
24	Q Right. So there's nothing in writing that says it's the	24	right?
25	policy of the Detroit Police Department to arrest	25	A Yes, sir.
	Page 79		Page 81
1	everybody or, excuse me, to cite everybody in such a	1	Q Had you read the ordinance before you wrote them?
2	location. That's your testimony; is that right?	2	A No, I have not.
3	A Yes.	3	Q All right. Other than your attorney, has anyone within
4	Q In other words, the general practice of the Detroit Police	4	the Detroit Police Department advised you that the
5	Department at that time in 2008 was that when such a raid		ordinance, the loitering ordinance of the City of Detroit
6	was conducted, everyone in the location would receive a	6	has been changed, altered, or amended since the date of
7	citation such as the one that was received here; is that	7	this particular raid?
8	right?	8	A I believe Lieutenant Yost informed me that it was under
9	A Yes.	9	review. There was a problem with the wording, or there
.0	MR. ASHFORD: Objection, calls for speculation.	10	was some flaw in it. I don't recall exactly what the flaw
.1	MR. GOODMAN: Over objection, I think we have	11	was. For some reason, the word "knowingly" comes to mind,
.2	the answer already.	12	and I believe it was going to be changed or has been
.3	BY MR. GOODMAN:	13	changed since then. I'm not positive if it has.
4	Q In addition to this being the general practice of the	14	MR, GOODMAN: Off the record for a moment.
.5	department at this time, this was the custom and usage of	15	(Discussion off the record.)
.6	the Detroit Police Department at that time; is that	16	(WHEREUPON, Deposition Exhibit 6
.7	correct, sir?	17	was marked for identification.)
.8	A Yes.	18	BY MR. GOODMAN:
.9	MR. ASHFORD: I'm going to add another	19	Q Let the record show that I have handed you what has been
0 :0	objection, same objection. Calls for speculation.	20	marked Buglo Deposition Exhibit 6 which I will represent
1	BY MR. GOODMAN:	21	is the provision of the City of Detroit ordinance that was
22	Q Everybody received the same citation other than the four	22	in effect on May the 31st, 2008. I'm going to ask you,
3	engagers who are listed at the top of your report; is that	23	first of all and I know you have said you don't ever
4	correct, sir?	24	recall seeing it. Now that you look at this, does this
5	A Yes,	25	refresh your recollection, or do you recall ever having

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22 (Pages 82 to 85)

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		Page 82		Page 84
1		read this?	1.	Q And that, as far as you know, is the reason that
2	Α	This is the first time I have read it. I have seen the	2	referring now to Exhibit No. 4 which is CRISNET point one
3		wording that is similar to this before,	3	defendants 5 through 134 were given citations on that
4	Q			particular early morning; is that correct, sir?
5	•	Yost referred when she spoke with you about changing the	5	MR. ASHFORD: Objection as to form, foundation.
6		law?	6	Go ahead.
7	A	I have not, and if it's been amended, this is the first	7	BY MR. GOODMAN;
8		time hearing of it. I know they were working on rewording	8	Q Go ahead, sir.
9		it. Whether or not it's been completed, I don't know, or	9	A Yes.
10		amended, I'm not sure. I don't know.	10	Q And I apologize. I know you testified about this already,
11	Q		11	but you left vice enforcement in two thousand
12	•	I want you to assume that the words Withdraw that.	12	A 2009.
13		Do you see the last line of the exhibit that I	13	MR. GOODMAN: I want to take care of a couple of
14		just handed you?	14	details here. Could I have the notice of deposition? Off
15	Á	Yes.	15	the record.
16	Q	Loiter in a place of illegal occupation?	16	(Discussion off the record.)
17	Α	Yes.	17	(WHEREUPON, Deposition Exhibit 7
18	Q	Do you see that? I want you to assume that after the word	18	was marked for identification.)
19		"occupation," the following phrase was added as a result	19	BY MR. GOODMAN:
20		of an amendment to the Detroit ordinance. Quote, "with	20	Q I'm handing you now what has been marked Deposition
21		the intent to engage in such illegal occupation," unquote,	21	Exhibit 7 which is the Notice of Deposition of this
22		"shall be guilty of a misdemeanor." Do you see that? I	22	deposition. Have you seen this before today, sir?
23		mean, did you follow me as I	23	A The cover page looks familiar. The listing of the
24	A	Yes.	24	officers on page 3, I have never seen that listed like
25	Q	Did you understand on May the 31st, 2008, that in order to	25	that, but I do recall seeing the cover sheet or page 1.
		Page 83		Page 85
1		issue someone a citation in a location such as the CAID	1	Q And you were asked, pursuant to Federal Rules of Civil
2		and such as the ones that you issued on May the 31st,	2	Procedure 34, to bring a number of documents and
3		2008, it was necessary for you to have evidence that a	3	documentation with you today. Have you brought any of the
4		person must have had the intent to engage in an illegal	4	things that were asked or all of them?
5		occupation at the time that you issued that citation?	5	A Where is this listed, sir?
6	Α	No, I did not have that understanding.	6	Q It's starting on page 2.
7	Q	In fact, it was your understanding that they need not have	7	A Okay.
8		such an intent in order for you to issue a citation; isn't	8	Q Paragraphs 1 through the end, which is paragraph 12.
9		that right?	9	A I did not personally bring any of these. I believe our
10	A	Yes.	10	law department handles that aspect of the records, gets
11	Q	So in terms of the old ordinance, what did you understand	11	the records from whatever entity's file that they may be
12		the violation that was known as loitering in a place of	12	in. I believe they collect those records. I do not do it
13		illegal occupation to consist of? What did you think it	13	personally.
14		meant as a law enforcement officer?	14	MR. GOODMAN: Okay. I will request that to the
15	Α	Being in a place where illegal activity such as what was	15	extent that any of the documents that are requested
16		going on at the CAID was taking place.	16	therein that have not yet been produced and are
17	Q	Simple presence there at that location, correct?	17	subsequently produced, we may need to continue questioning
18	Α	Correct.	18	with regard to the contents of any documents which we
19	Q	And one violated the ordinance simply by being present	19	subsequently receive.
20		there; is that correct, sir?	20	BY MR. GOODMAN;
21	Α	Correct.	21	Q Just one or two questions before we break, Sergeant. Was
22	Q	And, therefore, as far as you were concerned, what	22	there an understanding that you had, before you undertook
23		constituted probable cause at that time was presence at	23	this particular raid of the CAID on May 31st, 2008, that
24		the location; is that correct?	24	if you observed illegal activity going on inside the
25	A	Yes,	25	location of the CAID, everyone who was present in the
		<b>'</b>		

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23 (Pages 86 to 89)

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	Page 86		Page 88
1	location would be cited for loitering in a place of	1	A Not that night. She's been known to wear one, so it
2	illegal occupation?	2	wouldn't be unusual if she did, but I don't recall if she
3	A Unless there was some type of exigent circumstances, yes.	3	had one on that night or not.
4	Q And by exigent circumstances, can you give me an example	4	Q She occasionally wears baseball caps. You don't recall if
5	of any such situations where you had observed such exigent	5	she had one on that evening, however; is that right?
6	circumstances? You already mentioned a person who had not	6	A Yes.
7	yet been able to get in.	7	Q Now, once, after this situation where you observed what
8	A We conducted a raid in the past where I believe there was	8	you observed as described earlier in your testimony, how
9	a child. It was at a residence, and there was a child	9	was the decision made that a raid would take place?
10	living in the home there. The child didn't get a	1.0	A After we entered the location, observed the activities
11	citation. That's the first thing that pops into my mind,	11	that were going on, we stayed for some time, and then a
12	and I'm sure there are others. It's not a blanket thing.	12	phone call was made, I believe by her, to the staging area
13	There are exceptions that can be made.	13	where the entry team was, that indeed there was illegal
14	Q So other than that, it was your understanding, as a	14	activity going on and to go ahead and execute the search
15	supervisor in connection with this particular raid, that	15	warrant.
1.6	all of the people who were given citations would be given	16	Q There was already a raid team that had been organized and
17	citations for the reasons that we have already discussed	17	was waiting to come into the place; is that right?
18	here on the record; is that right, sir?	18	A Yes.
19	A Yes.	19	Q Where was that raid team located?
20	MR. ASHFORD: Objection to form and foundation.	20	A I believe they were staged at the tactical mobile base at
21	BY MR, GOODMAN;	21	5671 Trumbull.
22	Q When we come back, I want to ask you some questions about	22	Q About, what, five minutes away?
23	the transition between your undercover activity on the	23	A Approximately five minutes away.
24	night of May 31st, 2008, and the raid itself, but with	24	Q You say "she made a telephone call." "She" would have
25	that being said, I think it's time for the break that we	25	been Lieutenant Yost, correct?
	Page 87		Page 89
. 1	Page 87	1	Page 89 A Correct.
· 1 2	_	1 2	A Correct.
	discussed.		
2	discussed, MR. ASHFORD: Reconvene at 1:00? MR. GOODMAN: 1:00 is just fine.	2	A Correct.  Q And she used a cell phone I assume; is that right, sir?
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24 (Pages 90 to 93)

Page 90 Page 92 1. instructed or ordered to do? 1 A Once the raid team had everything secured and they were 2 A To get down on the ground or lay down on the ground. 2 comfortable with the setting. They knew that Lieutenant 3 Was this an order or an instruction? 3 Yost and I were in there. They're familiar with what we 4 A From my perspective, it's a police order. How they took 4 look like and who we are, so there was --5 5 it, I don't know, but it's an order. Q So the police officers who participated in the raid knew 6 Q Did everybody get down on the ground? 6 who you were and what you looked like; is that right? 7 The people within my field of vision did. Some took 7 A Yes. 8 longer than others. I mean, there's a certain amount of 8 Q Who was the commanding officer, the leader of the raid? 9 confusion that goes on. 9 A I don't know. There was two sergeants involved. I'm not 10 Q Did anyone express any opinions about the fact that the 10 sure which one would have taken the lead. 11 place was being raided or that people were being ordered 11 Had there been a raid briefing? 12 to get down on the ground? 12 Yes, there was. A 13 With the amount of people there, I have heard stray 13 Q Where was that? 14 comments just of a general nature of, "What's going on?" 14 Α That was at the tactical mobile base. 15 You know, paraphrasing things like that. 15 Did you participate in it? 0 16 How many police officers entered the location upon the 16 I believe I was briefly introduced for anyone who might 17 announcement that they were coming in, and once they 17 not know me, and then I went on and did some other 1.8 started to enter, how many came in? 18 activity. 19 A When they first reached the door, I probably saw seven to 19 Q Was there -- I'm sorry. 20 ten before I got down on the ground as well. My field of The actual layout of the building and pictures of the 20 21 vision was then skewed, and after a certain amount of 21 building and the description of the interior was done by 22 minutes, I sat up and had my hands on my knees and 22 -- that briefing was -- I don't know who did that 23 watched. 23 briefing, but it was not me. 24 0 Why was it that you got down on the ground? 24 Q Was Lieutenant Yost there, and did she participate in the 25 To be in compliance and to fit in with what the rest of 25 briefing if you know? Page 91 Page 93 1 the people were doing and to follow the commands of the 1 A I don't know. She was there at the base. I don't know if 2 police. I didn't want to look out of place. 2 she participated in the briefing. 3 Why didn't you -- I mean, you were a police officer. Why 3 Do you know if a written brief plan had been prepared? didn't you want to at that point just simply identify 4 A We always have in the past. I don't know why there 4 5 yourself as a police officer and participate in the raid? 5 wouldn't be this time, so there should have been. 6 Well, the narcotics people are raid trained, and they do 6 MR. ASHFORD: Do you know if there is one? 7 7 raids two, sometimes three a day. Myself or anyone else THE WITNESS: Knowing the crew that participated popping up in my opinion could cause confusion to the raid 8 8 in it, I don't know for sure, but there always has been team, maybe cause things to not go as smoothly as they 9 9 one in the past, and we have been very thorough with it. 10 would like. 10 I did not see it, so I don't know if one was done or not. 11 At that point in time, when they breach the 1.1 MR. GOODMAN: I would, Mr. Ashford, object to 12 door, they have certain procedures and certain things that 12 questioning out of order, but I understand. MR. ASHFORD: Just helping you clarify. 13 they do for their safety, for everyone else's safety, and 13 14 I didn't want to put any confusion or throw them off in 14 MR. GOODMAN: I understand. Appreciate it. 15 any way. 15 BY MR. GOODMAN: 16 Q Did Lieutenant Yost do as you did? 16 Q So you don't know if the warrant was read at the briefing 17 Α Yes, she did. 17 meeting? 18 Q At some point did you identify yourself as police officers 18 A I do not. 19 to anyone? 19 Q Or if a map or photographs were shown to the raid team? 20 A We did get up and go out to the vehicle to get badge 20 Α 21 necklace, I believe our firearms, police identification, 21 In the end, you said you and Lieutenant Yost stood up, 22 but there was no standing up and announcing, "Hey, I'm 22 went outside, and put on different garb; am I right? 23 Sergeant Buglo. I'm a policeman, too." There wasn't any 23 A Not different clothing. I would have had a necklace that 24 formal announcements or anything like that. 24 had my badge on it. I retrieved my firearm and my police 25 You just stood up and left the premises? 25 -- I have a separate wallet I carry my police ID and badge

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25 (Pages 94 to 97)

		25 (rayes		20 311
		Page 94		Page 96
1		in.	1	Q Well, let's take a look at Exhibit No. 4 here for just a
2	Q		2	second. Just randomly, I'm going to pick somebody on
3	`	got your other paraphernalia and put on a vest did you	3	this. Let's say defendant number 20, Jennifer Lynn Agar,
4		say?	4	white female, 24, date of birth 3-13-84, with an address
5	Α	No.	5	in Farmington Hills, Michigan, was charged with loitering
6	Q	What? What kind of garb did you put on?	6	in a place of illegal occupation by you, by Sergeant
7	A	Just a necklace with my badge on it, a badge holder on it,	7	Daniel Buglo; is that right, sir?
8		my firearm, and my police wallet with my ID in it.	8	A Correct,
9	Q	What did you do after you did that?	9	Q How did you know that Jennifer Lynn Agar had been in a
1.0	A	There was a laptop computer in the car that we used to	10	place of illegal occupation when you wrote that ticket?
11		help process the people's information. For instance, this	11	A She was in the place at the time of the raid, and she was
12		CRISNET that I did, I typed all that in a Word document	12	in the place when people were processed, so she came up to
13		and then copied and pasted it into the CRISNET. As the	13	the table when she was called up.
14		tickets were being written, they were given to me, and I	14	Q Basically, did you see her in there before the raid
15		typed the information onto the report.	15	started?
16	Q	And by CRISNET, you're referring to Exhibit No. 4; is that	16	A I can't specifically recall what she looks like now, no.
17		correct?	17	Q So you can't say one way or another if you saw her in the
18	A	If it's the point one, then that's correct, yes.	18	location; is that right?
19	Q	· · · ·	19	A Not at this time, correct.
20		charged with and other identifying information, addresses,	20	Q And, really, the only way you know that she was in the
21		dates of birth, that kind of thing were typed in by you	21	location was that she worked her way through an assembly
22		once, as you say, a ticket was written; is that correct?	22	line process essentially and ended up at a desk where the
23	A		23	citation was written and handed to her; is that right?
24	Q	Tickets were brought out to you by whom?	24	MR. ASHFORD: Objection as to form and
25	A	There's a whole processing area that's set up. There was	25	foundation.
		Page 95		Page 97
1			1	Page 97 BY MR. GOODMAN:
1 2		I believe a couple of tables with officers sitting behind	1 2	BY MR. GOODMAN:
				BY MR. GOODMAN:
2		I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come	2	BY MR. GOODMAN:  Q Over objection, you may answer, sir.
2		I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they	2 3	BY MR. GOODMAN: Q Over objection, you may answer, sir. A That's correct.
2 3 4		I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name.	2 3 4	BY MR. GOODMAN: Q Over objection, you may answer, sir. A That's correct. Q Let's go to number 21, Jessica Lynn Martin, white female,
2 3 4 5	Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought	2 3 4 5	BY MR. GOODMAN: Q Over objection, you may answer, sir. A That's correct. Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also
2 3 4 5 6	Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.	2 3 4 5 6	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by
2 3 4 5 6 7	Q A	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?	2 3 4 5 6 7	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J.
2 3 4 5 6 7 8		I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.	2 3 4 5 6 7 8	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore?
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2 3 4 5 6 7 8 9 10 11	A Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were—  Myself and another officer were set up right behind the main processing table, so I saw — They were forward, kind of where the person taking the entry fee or the cover	2 3 4 5 6 7 8 9 10 11	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore?  A A police officer that was assigned to vice enforcement at the time of the raid.  Q Had he been in the establishment before the raid started?  A tany time?
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2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were  Myself and another officer were set up right behind the main processing table, so I saw They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out	2 3 4 5 6 7 8 9 10 11 12 13 14 15	BY MR. GOODMAN: Q Over objection, you may answer, sir. A That's correct. Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore? A A police officer that was assigned to vice enforcement at the time of the raid. Q Had he been in the establishment before the raid started? A At any time? Q On this particular A On the night of the raid was he in the establishment? Q Yeah. A Not before the raid crew entered.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were  Myself and another officer were set up right behind the main processing table, so I saw They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out the door.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	BY MR. GOODMAN: Q Over objection, you may answer, sir. A That's correct. Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore? A A police officer that was assigned to vice enforcement at the time of the raid. Q Had he been in the establishment before the raid started? A At any time? Q On this particular — A On the night of the raid was he in the establishment? Q Yeah. A Not before the raid crew entered. Q As far as you can tell, as the person who wrote this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were —  Myself and another officer were set up right behind the main processing table, so I saw — They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out the door.  Different officers were writing different citations; is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	BY MR. GOODMAN: Q Over objection, you may answer, sir. A That's correct. Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore? A A police officer that was assigned to vice enforcement at the time of the raid. Q Had he been in the establishment before the raid started? A At any time? Q On this particular A On the night of the raid was he in the establishment? Q Yeah. A Not before the raid crew entered. Q As far as you can tell, as the person who wrote this CRISNET, how did Officer Passmore know that Jessica Lynn
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were —  Myself and another officer were set up right behind the main processing table, so I saw — They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out the door.  Different officers were writing different citations; is that right?  Yes.  And the officers were members of the raid team; is that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore?  A A police officer that was assigned to vice enforcement at the time of the raid.  Q Had he been in the establishment before the raid started?  A tany time?  Q On this particular  A On the night of the raid was he in the establishment?  Q Yeah.  A Not before the raid crew entered.  Q As far as you can tell, as the person who wrote this CRISNET, how did Officer Passmore know that Jessica Lynn Martin had been inside the establishment at the time that illegal activity was going on there?  A I cannot speak for Officer Passmore's observation. I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were —  Myself and another officer were set up right behind the main processing table, so I saw — They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out the door.  Different officers were writing different citations; is that right?  Yes.  And the officers were members of the raid team; is that correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore?  A A police officer that was assigned to vice enforcement at the time of the raid.  Q Had he been in the establishment before the raid started?  A tany time?  Q On this particular —  A On the night of the raid was he in the establishment?  Q Yeah.  A Not before the raid crew entered.  Q As far as you can tell, as the person who wrote this CRISNET, how did Officer Passmore know that Jessica Lynn Martin had been inside the establishment at the time that illegal activity was going on there?  A I cannot speak for Officer Passmore's observation. I don't know what he would convey to me.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were  Myself and another officer were set up right behind the main processing table, so I saw They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out the door.  Different officers were writing different citations; is that right?  Yes.  And the officers were members of the raid team; is that correct?  Members of the raid team and members of vice. I don't	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore?  A A police officer that was assigned to vice enforcement at the time of the raid.  Q Had he been in the establishment before the raid started?  A At any time?  Q On this particular  A On the night of the raid was he in the establishment?  Q Yeah.  A Not before the raid crew entered.  Q As far as you can tell, as the person who wrote this CRISNET, how did Officer Passmore know that Jessica Lynn Martin had been inside the establishment at the time that illegal activity was going on there?  A I cannot speak for Officer Passmore's observation. I don't know what he would convey to me.  Q Based on your description, however, at most, what Officer
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q	I believe a couple of tables with officers sitting behind the tables and with the patrons in front. They would come up one at a time with their identification, or if they didn't have identification, they would give their name. The tickets were written, and they were eventually brought over to me. I put them in the computer.  The tickets were brought over to you, or the people were brought over to you?  The tickets.  Did you see the citation being given to any of the particular people who were —  Myself and another officer were set up right behind the main processing table, so I saw — They were forward, kind of where the person taking the entry fee or the cover charge was, and we were a few feet behind them, so I saw them as they went to the table and then subsequently out the door.  Different officers were writing different citations; is that right?  Yes.  And the officers were members of the raid team; is that correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. GOODMAN:  Q Over objection, you may answer, sir.  A That's correct.  Q Let's go to number 21, Jessica Lynn Martin, white female, 22, born in 1985, residence in Warren, Michigan, also charged with loitering in a place of illegal occupation by Police Officer J. Passmore. Now, who is Officer J. Passmore?  A A police officer that was assigned to vice enforcement at the time of the raid.  Q Had he been in the establishment before the raid started?  A tany time?  Q On this particular —  A On the night of the raid was he in the establishment?  Q Yeah.  A Not before the raid crew entered.  Q As far as you can tell, as the person who wrote this CRISNET, how did Officer Passmore know that Jessica Lynn Martin had been inside the establishment at the time that illegal activity was going on there?  A I cannot speak for Officer Passmore's observation. I don't know what he would convey to me.

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# 26 (Pages 98 to 101)

	26 (Pages	98 L	O TOT)
	Page 98		Page 100
1	right?	1	Q So somewhere between four and seven or something like
2	MR, ASHFORD: Objection, calls for speculation.	2	that?
3	BY MR. GOODMAN:	3	A That sounds right.
4	Q Sir?	4	Q Do you remember who any of those officers were?
5	A That's entirely possible.	5	A Officer Sheron Johnson would have been one of them for
6	Q How would Officer Passmore have known, if you know, that a	6	sure. I'd have to see who else was at the raid location
7	citation should be written to Jessica Lynn Martin?	7	at the time. I believe Officer Singleton was from
8	MR. ASHFORD: Objection, calls for speculation.	8	narcotics, and I'm not sure who else.
9	BY MR. GOODMAN:	9	Q Let's go back to number 21 on that Exhibit 4, Miss Martin.
10	Q Again, over objection, you may answer.	10	Is the fact that Officer Passmore's name is on her
11	A How would he have known?	11	citation, does that signify that he was at the table that
12	Q Yeah.	1.2	you have described and filling out the information for
13	A Speculating, just by her presence in the building I would	13	her? Is that what that would mean?
14	imagine.	14	A Not necessarily,
15	Q And that would have been a legitimate basis, as far as you	15	Q Why would his name have been on her citation if he wasn't
16	were concerned as a supervisor, for him to write a	16	sitting at the table taking information from her?
17	citation. Simply because she was present in the building,	17	A He was one of the officers during the execution of the
18	she was then subject to criminal liability under this	18	raid that would have observed the mass amount of people in
19	loitering ordinance; is that correct, sir?	19	there.
20	A Barring any exigent circumstances or any other explanation	20	Q So does that mean that he observed her in there?
21	that she could have given, yes.	21	A It could.
22	Q Do you know if she was given any opportunity to provide an	22	Q But not necessarily?
23	exigent circumstance or explanation?	23	A It could mean, not necessarily.
24	A I don't know if she was given the opportunity. There was,	24	Q Explain to me the logic behind placing his name on
25	during the processing, when they were at the table, there	25	Passmore's name on Martin's citation. For the moment,
	Page 99		Page 101
1	was nothing forbidding anybody from speaking or having a	1	assuming he did not take the information from her at the
2	conversation.	2	table where people were being processed and he did not see
3	Q Now, I want to get into the issue of vehicles in a minute,	3	her in the location itself, why could his name have
4	but were people asked, as they were being processed,	4	theoretically been assigned to her citation?
5	whether they had a vehicle, if you know?	5.	MR. ASHFORD: Objection, no foundation. You can
6	A Yes.	6	answer.
7	Q Who asked?	7	THE WITNESS: The logic behind it is everyone
8	A The officers at the processing table, and I believe we had	8	that participates or was in the building and observed the
9	officers set aside to process the vehicle end of the	9	activities going on or observed the people in there at the
10	nuisance abatement and the forfeiting of the vehicles, so	10	time of the raid, their name gets put on a ticket.
11	it would have been one of those two officers.	11	BY MR. GOODMAN:
12	Q Where were the processing tables set up?	12	Q Is it because every ticket or citation has to have the
13	A When you go into the entrance, they were set up kind of	13	name of an officer on it?
14	east to west against the north wall, and I believe we	14	A Yes, every one does.
1.5			
	moved them so the tables would be north to south, kind of	1.5	Q And why wouldn't someone just Withdraw that question.
1.6	moved them so the tables would be north to south, kind of like a blockade so they could go, and they'd have to go	15 16	Q And why wouldn't someone just Withdraw that question.  Why wouldn't it have made sense simply to place
1.6 1.7			
	like a blockade so they could go, and they'd have to go	16	Why wouldn't it have made sense simply to place
17	like a blockade so they could go, and they'd have to go around to get out the door.	16 17	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?
17 18	like a blockade so they could go, and they'd have to go around to get out the door.  Q Were the tables inside or outside?  A Inside.  Q How many officers were sitting behind the tables filling	16 17 18	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?  A It would have.
17 18 19	like a blockade so they could go, and they'd have to go around to get out the door.  Q Were the tables inside or outside?  A Inside.	16 17 18 19	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?  A It would have.  Q That could have happened?
17 18 19 20	like a blockade so they could go, and they'd have to go around to get out the door.  Q Were the tables inside or outside?  A Inside.  Q How many officers were sitting behind the tables filling	16 17 18 19 20	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?  A It would have.  Q That could have happened?  A It could have happened that way.  (Discussion off the record.)  (WHEREUPON, Deposition Exhibit 8
17 18 19 20 21	like a blockade so they could go, and they'd have to go around to get out the door.  Q Were the tables inside or outside?  A Inside.  Q How many officers were sitting behind the tables filling out forms or taking information?	16 17 18 19 20 21	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?  A It would have.  Q That could have happened?  A It could have happened that way.  (Discussion off the record.)
17 18 19 20 21	like a blockade so they could go, and they'd have to go around to get out the door.  Q Were the tables inside or outside?  A Inside.  Q How many officers were sitting behind the tables filling out forms or taking information?  A I don't know the exact number. It would have been four, four or more.  Q Four or more? Would it have been as many as ten?	16 17 18 19 20 21	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?  A It would have.  Q That could have happened?  A It could have happened that way.  (Discussion off the record.)  (WHEREUPON, Deposition Exhibit 8 was marked for identification.)  BY MR. GOODMAN:
17 18 19 20 21 22 23	like a blockade so they could go, and they'd have to go around to get out the door.  Q Were the tables inside or outside?  A Inside.  Q How many officers were sitting behind the tables filling out forms or taking information?  A I don't know the exact number. It would have been four, four or more.	16 17 18 19 20 21 22	Why wouldn't it have made sense simply to place your name as the officer on each of the citations?  A It would have.  Q That could have happened?  A It could have happened that way.  (Discussion off the record.)  (WHEREUPON, Deposition Exhibit 8 was marked for identification.)

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#### Daniel Buglo 9/21/2011

#### 27 (Pages 102 to 105)

		, <b>J</b>	.02 (		200/
		Page 102			Page 104
1		Deposition Exhibit No. 8 and ask you if you can identify	1		report of what was removed from the location and placed on
2		that, sir?	2		evidence.
3	Α	This is an additional CRISNET report attached to the	3	Q	And what do you understand had been removed from that
4		original case number.	4		location?
5	Q	And you are the reporting officer on this; is that	5	A	Do you want me to read all the things listed in the
6		correct?	6		report?
7	A		7	-	No. Generically can you tell me? I think there's money.
8	Q	It's not?	8	A	Money, a computer, a laptop computer. I believe there was
9	A	į	9		a turntable. It looks like wine, a container of wine, keg
10	Q			_	of beer.
11		was entered by you; is that right?	11	Q	
12	A	No.	12		night?
13	Q		13 14	A	
14 15	Á	first page of this document?  Oh, the report Well, the report "Entered By" would be	15	Q A	•
16	А	the reporting officer which would be Raymond Smith.	16	A	As far as I can remember, the door money would have been taken, the money that was collected at the door, any money
17		"Reporting Officer" is like an additional officer involved	17		that was taken by the bartender for the alcohol.
1.8		in the case.	18	Q	
19	Q		19	Q	engagers?
20	_	Yes. The "Entered By" where it says Raymond Smith	20	A	And the cover charges would have been confiscated.
21	Q		21	Q	
22	-	he's the one that entered it into the actual CRISNET	22	*	have been in the possession, before the Detroit Police
23		system.	23		Department seized it, would have been in the possession of
24	Q	But you are the reporting officer on this Exhibit 8; is	24		the engagers?
25		that correct?	25	A	Yes.
		Page 103			Page 105
1	٨	Page 103	1	^	Page 105
1		Соттест.	1	Q	What about the computer? Do you know anything about that
2	Q	Correct. It lists you as the reporting officer?	2		What about the computer? Do you know anything about that or where that was seized or why?
3	Q A	Correct.  It lists you as the reporting officer?  Correct, it does.	2 3		What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making
2 3 4	Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was	2 3 4		What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the
2 3 4 5	Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?	2 3 4 5	A	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.
2 3 4	Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who	2 3 4 5	A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?
2 3 4 5	Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number	2 3 4 5 6 7	A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know
2 3 4 5 6	Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who	2 3 4 5	A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the
2 3 4 5 6 7	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the	2 3 4 5 6 7 8	A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know
2 3 4 5 6 7 8	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to	2 3 4 5 6 7 8	A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered
2 3 4 5 6 7 8 9	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering	2 3 4 5 6 7 8 9	A Q A	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken
2 3 4 5 6 7 8 9 10	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer	2 3 4 5 6 7 8 9 10	A Q A	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.
2 3 4 5 6 7 8 9 10 11	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling	2 3 4 5 6 7 8 9 10 11	A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a
2 3 4 5 6 7 8 9 10 11 12	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual	2 3 4 5 6 7 8 9 10 11 12	A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?
2 3 4 5 6 7 8 9 10 11 12 13	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that
2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.  I understand.  Okay.  But you were then the reporting officer on the point one	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal activities that were going on as far as the entertainment goes.  What was illegal about the entertainment?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.  I understand.  Okay.  But you were then the reporting officer on the point one which is Exhibit 4; is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q .A.	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal activities that were going on as far as the entertainment goes.  What was illegal about the entertainment?  Charging a cover charge after hours and selling alcohol
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.  I understand.  Okay.  But you were then the reporting officer on the point one which is Exhibit 4; is that right?  Yes, sir.  And were you the entering officer also on that one?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A A Q A	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal activities that were going on as far as the entertainment goes.  What was illegal about the entertainment?  Charging a cover charge after hours and selling alcohol and having dancing and music after that point in time of the day, I believe there's a city ordinance against that.
12 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.  I understand.  Okay.  But you were then the reporting officer on the point one which is Exhibit 4; is that right?  Yes, sir.  And were you the entering officer also on that one?  On the point one, I believe I was. Yes, I was.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal activities that were going on as far as the entertainment goes.  What was illegal about the entertainment?  Charging a cover charge after hours and selling alcohol and having dancing and music after that point in time of the day, I believe there's a city ordinance against that.  City ordinance against having music after what time of
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.  I understand.  Okay.  But you were then the reporting officer on the point one which is Exhibit 4; is that right?  Yes, sir.  And were you the entering officer also on that one?  On the point one, I believe I was. Yes, I was.  Can you identify now Exhibit 8? Tell me what it is, what	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal activities that were going on as far as the entertainment goes.  What was illegal about the entertainment?  Charging a cover charge after hours and selling alcohol and having dancing and music after that point in time of the day, I believe there's a city ordinance against that.  City ordinance against having music after what time of day?
12 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A Q	Correct.  It lists you as the reporting officer?  Correct, it does.  And you were the reporting officer on Exhibit 4 which was point one of this CRISNET; is that correct, sir?  Correct. The way the CRISNET system works, the person who does the first actual case draft, which is the main number here, all subsequent dot reports would have my name as the reporting officer. Even if, say, you added an addendum to it, if you did a report, you would show up as the entering officer, and I would show up as the reporting officer because I did the initial — I guess got the ball rolling thing it would be, but it doesn't make me the actual person who did the information into the subsequent reports.  I understand.  Okay.  But you were then the reporting officer on the point one which is Exhibit 4; is that right?  Yes, sir.  And were you the entering officer also on that one?  On the point one, I believe I was. Yes, I was.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A	What about the computer? Do you know anything about that or where that was seized or why?  I believe that was seized from the person who was making the data entry, if you will, at the front door of the patrons that came in.  And what was the purpose of seizing the computer?  I believe it was seized as evidence of — I don't know what the nature was, and I don't know who ordered the computer to be taken, but because names were being entered in at the point of paying the cover charge, it was taken as evidence.  Okay. TV, radio, stereo, VCR, under that category is a turntable. Why was the turntable taken?  Because there was an active DJ playing, and I believe that goes to show evidence of the illegal party and illegal activities that were going on as far as the entertainment goes.  What was illegal about the entertainment?  Charging a cover charge after hours and selling alcohol and having dancing and music after that point in time of the day, I believe there's a city ordinance against that.  City ordinance against having music after what time of

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#### Daniel Buglo 9/21/2011

#### 28 (Pages 106 to 109)

		28 (Pages )	.00 0	109)
		Page 106		Page 108
1	o	And the alcoholic beverages were seized because they were	1	or any mixed liquors or beverages, any part of which is
2	`	evidence of illegal activity, also?	2	intoxicating is hereby declared a nuisance?
3	Α	Of the sale of alcohol, that I purchased a beer from	3	A Has anyone told me?
4		behind the bar where the keg was set up.	4	Q Are you familiar with that general concept as outlined in
5		(WHEREUPON, Deposition Exhibit 9	5	the statute?
6		was marked for identification.)	6	MR. ASHFORD: Objection as to form. You can
7	В	Y MR. GOODMAN:	7	answer.
8	Q	I'm going to hand you what has been marked Exhibit 9 and	8	THE WITNESS: No, I have not read it.
9		ask if you can identify this?	9	BY MR. GOODMAN:
10	Α	It's a Detroit Police CRISNET report, a point three to the	10	Q Or that any person who owns, leases, conducts, or
11		main case number. It's like a third portion of the	11	maintains a vehicle used for the purposes or by any of the
12		report.	12	persons carried on, is guilty of a nuisance?
1.3	Q	And this one was entered again by Raymond Smith, was it	13	A No, I have not heard that language before.
14	Α	Correct,	14	Q Who made the decision that the vehicles were to be seized
15	Q	But you, again, are indicated as the reporting officer	15	in this particular raid?
16		because you were the initial reporting officer; is that	16	A I don't know that anyone came out and said, "We're seizing
17		correct?	17	vehicles." It's been done that way long before I got to
18	A	Correct.	18	vice. It was done that way when I got to vice. That's
19	Q	What is reflected on this particular portion of the	19	just how it was done. There was no statement made that
20		CRISNET?	20	we're not seizing vehicles this time. It's just part of
21	Α	It appears to be a list of vehicles that were impounded	21	the raid procedure as far as I understood,
22		from the location.	22	Q Is it your testimony that any time a raid is conducted and
23	Q	How many vehicles were impounded, if you know?	23	people are handed citations for loitering in a place of
24	Α	I don't know. Just by recollection, I believe that night	24	illegal occupation, their vehicles will be confiscated and
25		there was approximately forty altogether. I don't	25	seized by the Detroit Police Department?
				solzed by the Detroit Folice Department:
······································		Page 107	<del></del>	Page 109
1		Page 107	<del> </del>	Page 109
1 2	0	Page 107 remember the exact number.	1	Page 109  A No. It's my testimony that the raids that I have been on
1 2 3	Q A	Page 107 remember the exact number. Could it have been a few more than forty?	1 2	Page 109  A No. It's my testimony that the raids that I have been on in my time at vice, that has been the case.
2	A	Page 107 remember the exact number. Could it have been a few more than forty? Could have.	1	Page 109  A No. It's my testimony that the raids that I have been on in my time at vice, that has been the case.  Q How many such raids have you participated in?
2 3	-	Page 107 remember the exact number. Could it have been a few more than forty? Could have. And in these raids and by "these raids," I mean raids	1 2 3	Page 109  A No. It's my testimony that the raids that I have been on in my time at vice, that has been the case.
2 3 4	A	Page 107 remember the exact number. Could it have been a few more than forty? Could have. And in these raids and by "these raids," I mean raids that are conducted by the vice enforcement unit were	1 2 3 4	Page 109  A No. It's my testimony that the raids that I have been on in my time at vice, that has been the case.  Q How many such raids have you participated in?  A Seven to ten approximately. I don't know the exact number.
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#### Daniel Buglo 9/21/2011

#### 29 (Pages 110 to 113)

		Page 110			Page 112
1	Q	And that therefore you understood that this was routine	1	A	Okay. No, there's none listed.
2		practice and policy of the vice enforcement unit of the	2		If marijuana would have been found, would it have been
3		Detroit Police Department; is that right, sir?	3		seized and itemized in the CRISNET?
4	A	Yes.	4	Α	It would have been seized and processed and itemized
5	Q	Now, in making a decision to seize a vehicle, was any	5		somewhere in a CRISNET.
6		attempt made to determine what the purpose of the vehicle	6	Q	So is it fair to infer from the fact that there is no
7		was; in other words, whether the purpose was that the	7		reference whatsoever to marijuana that none was found?
8		person would be using the vehicle for purposes of	8	Α	As far as I know, yes. I did not search any people and
9		loitering in a place of illegal occupation?	9		found marijuana on anyone myself.
10	Α	No.	10	Q	Speaking of searching, people's pockets were searched?
11	Q	And it wasn't done in this particular instance with the	11	Α	People's pockets, I believe when the narcotics crew
12		CAID raid; is that correct, sir?	12		initially came in, they did a pat-down, a frisk of
13	A	Establishing a purpose of what the vehicle's use would be?	13		people's outer garments for weapons. I did not see
14	Q	That's right.	14		people's pockets being searched.
15	A	Other than transporting the person to the location?	15	Q	Is it routine to go into people's pockets and see what's
16	Q	Yes.	16		in there in such a raid situation?
17	A		17	A	Hands are made to be clearly seen. If an officer sees a
18	Q		18		person reaching into their pocket or making some type of
19		and then seized? How did it work?	19		gesture quickly like that, for their safety, an officer
20	A	•	20		may go in and crunch a pocket or ask, "What are you doing
21	Q	No. Let's say I'm at a place that's raided, and I am	21	_	there? Don't move around," things of that nature.
22		given a citation, and my car is parked in the parking lot.	22	Q	
23		How is possession of my car taken from me by the City of	23		that what you're saying?
24		Detroit Police Department?	24	A	
25	A	The officers would ask the individual if you drove or how	25	Q	Were people routinely frisked?
		Page 111			Page 113
1					
2		you got there, and the answer would be given. Where your	1	A	Yes.
-		vehicle a determination of where your vehicle was would	1 2	A Q	For weapons?
3		vehicle a determination of where your vehicle was would try to be established, and then the keys would be the			For weapons? Yes,
		vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.	2 3 4	Q	For weapons? Yes, Was there a procedure whereby male officers would search
3 4 5	Q	vehicle a determination of where your vehicle was would try to be established, and then the keys would be the officer would get the keys from the individual. And what would the officer do with the keys?	2 3 4 5	Q A	For weapons? Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the
3 4 5 6	~	vehicle a determination of where your vehicle was would try to be established, and then the keys would be the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.	2 3 4 5 6	Q A Q	For weapons? Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the women?
3 4 5 6 7	~	vehicle a determination of where your vehicle was would try to be established, and then the keys would be the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would	2 3 4 5 6 7	Q A Q	For weapons? Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the women? Yes, that's our policy.
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3 4 5 6 7 8 9 10 11 12 13 14 -	A Q A A	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there? — I don't know.	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q A Q	Yes.  Was there a procedure whereby male officers would search male defendants, and female officers would search the women?  Yes, that's our policy.  All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car?  Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized
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3 4 5 6 7 8 9 10 11 12 13 14 - 15 16 17	A Q A A	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there? — I don't know.  By the way, in the evidence log which was Buglo Exhibit 8, the evidence or the articles of property that were seized,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A A	Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the women? Yes, that's our policy. All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car? Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized from, and the car gets towed to a designated spot, a tow yard or another designated spot.
3 4 5 6 7 8 9 10 11 12 13 14 - 15 16 17 18	A Q A A	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there? — I don't know.  By the way, in the evidence log which was Buglo Exhibit 8, the evidence or the articles of property that were seized, including money, do you know whether any marijuana was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A A	Yes.  Was there a procedure whereby male officers would search male defendants, and female officers would search the women?  Yes, that's our policy.  All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car?  Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized from, and the car gets towed to a designated spot, a tow yard or another designated spot.  The car gets towed even though the department has the keys
3 4 5 6 7 - 8 9 10 11 12 13 14 - 15 16 17 18 19	A Q A Q	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there?  I don't know.  By the way, in the evidence log which was Buglo Exhibit & the evidence or the articles of property that were seized, including money, do you know whether any marijuana was found that night at the CAID?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q Q	Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the women? Yes, that's our policy. All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car? Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized from, and the car gets towed to a designated spot, a tow yard or another designated spot. The car gets towed even though the department has the keys and can—
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3 4 5 6 7 8 9 10 11 12 13 14 - 15 16 17 18 19 20 21	A Q A Q A Q	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there? — I don't know.  By the way, in the evidence log which was Buglo Exhibit 8, the evidence or the articles of property that were seized, including money, do you know whether any marijuana was found that night at the CAID?  I do not know.  None was seized; is that correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q Q A A	Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the women? Yes, that's our policy. All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car? Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized from, and the car gets towed to a designated spot, a tow yard or another designated spot. The car gets towed even though the department has the keys and can — The keys to the vehicle go with the car. Other keys, personal keys like that stay with the individual.
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3 4 5 6 7 8 9 10 11 12 13 14 - 15 16 17 18 19 20 21 22 23	A Q A Q A Q A	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there? — I don't know.  By the way, in the evidence log which was Buglo Exhibit 8, the evidence or the articles of property that were seized, including money, do you know whether any marijuana was found that night at the CAID?  I do not know.  None was seized; is that correct?  I would have to look through the CRISNET. I don't recall seeing any seized.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A	Yes.  Was there a procedure whereby male officers would search male defendants, and female officers would search the women?  Yes, that's our policy.  All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car?  Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized from, and the car gets towed to a designated spot, a tow yard or another designated spot.  The car gets towed even though the department has the keys and can—  The keys to the vehicle go with the car. Other keys, personal keys like that stay with the individual.  But no one drives the vehicle; is that right?  No.
3 4 5 6 7 - 8 9 10 11 12 13 14 - 15 16 17 18 19 20 21 22	A Q A Q A Q	vehicle — a determination of where your vehicle was would try to be established, and then the keys would be — the officer would get the keys from the individual.  And what would the officer do with the keys?  Go to where the car is, do an inventory of the vehicle.  Impound cards would be filled out, and then the car would be towed to a designated tow company.  So each of these cars was searched; is that what you're saying, or should have been searched?  Inventoried or searched. There's an opportunity given to the individuals to get any personal belongings out.  But people whose cars are confiscated, are they told that we're going to search your vehicle to see what's in there? — I don't know.  By the way, in the evidence log which was Buglo Exhibit 8, the evidence or the articles of property that were seized, including money, do you know whether any marijuana was found that night at the CAID?  I do not know.  None was seized; is that correct?  I would have to look through the CRISNET. I don't recall	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q Q A Q Q	Yes. Was there a procedure whereby male officers would search male defendants, and female officers would search the women? Yes, that's our policy. All right. So going back to the vehicles for a moment, once the officer has done an inventory of the vehicle, has the keys to the vehicle, what then happens to the car? Our policy is to inventory. Before it's impounded, they do an inventory of the contents of the vehicle. Two impound cards are filled out. There's a forfeiture sheet which I believe is filled out. Copies of the paperwork are given to the individual that the vehicle was seized from, and the car gets towed to a designated spot, a tow yard or another designated spot. The car gets towed even though the department has the keys and can — The keys to the vehicle go with the car. Other keys, personal keys like that stay with the individual. But no one drives the vehicle; is that right? No.

#### Daniel Buglo 9/21/2011

30 (Pages 114 to 117)

		Jo (Lages .		CO 11//
		Page 114		Page 116
1	Α	No.	1	has ever said that.
2	Ç		2	MR. ASHFORD: Off the record.
3		I don't know. The report says AC Towing and B & T Towing		(Discussion off the record.)
4		B & G Towing and Gene's Towing according to the CRISNET.	ſ	BY MR, GOODMAN:
5	Q		5	Q Now, we talked a little bit about your PCRs and the level
6	~	you know?	6	
7	Α	Yes, it does.	7	of detail that was set out in the PCRs about what you saw,
8	Q		8	what you observed, who did what, identification of people
9	~	their car back after it's been towed?	9	as best you could. Was any such description filled out by
10	Δ	I know they have to go through the county. Our paperwork		you in the CRISNET of this particular incident, what you
11	21	goes to a county prosecutor, and I know there's a fee	10	saw any particular individuals doing in the course of your
12		involved that has to be paid, but as far as a waiting	11	activity other than the undercover surveillance which you
13			12	did before the raid started?
14		period, how long they have to wait, I believe there was a	13	A As detailed as the first two?
15		two-day processing waiting period for the county to get	14	Q Yes.
	Λ	the paperwork done. I'm not very familiar with that end.	15	A No.
16	Ų	When you say a fee has to be paid, you mean the person	16	Q Were there any details whatsoever in the CRISNET report
17		whose vehicle has been seized has to pay a fee in order to	17	other than the names, addresses, dates of birth, and
18		get the vehicle back; is that right?	18	charge as to the people who were cited in that raid?
19	_	Yes.	19	A No.
20	Q	•	20	Q Why not? Why didn't you put more details in in terms of
21	Α		2.1	what you observed and what you saw happening at the time?
22	_	changed or if it's the same.	22	A Well, there was over a hundred people in there, and
23		Do you know who gets that money?	23	there's myself and Lieutenant Yost. The engagers we try
24	Α	I believe the county gets a portion, and I believe the	24	to be thorough with. The other mass of people, it's just
25		city gets a portion. I'm not positive on what the split	25	not possible from my brain's output to try to, you know,
		Page 115		Page 117
1.		is.	1	memorize descriptions and approximate ages and things like
2	Q	But you were aware that the city gets a portion of that	2	that of over a hundred people, them being in the location.
3		fee, is that correct, the towing fee and seizure fee?	3	Q You were not the arresting officer on every one of these
4	Ä	The towing I'm not positive about. I think that's under	4	citations; isn't that right?
5		contract with the city, but I believe of that forfeiture	5	A Nobody was arrested.
6		money there is a split between the city and the county.	6	Q Well, the writer of the issuer let's call this.
7	o	And how were you made aware of the fact that the city gets	7	A Yes, I was the issuing officer.
8	`	part of the money from the seizure fee?	8	Q You did some of the issuing of citations; is that right?
9	Α	There was the weekly stat report that we do. There was a	9	A Yes.
10		breakdown of amount per vehicle, and there's a weekly	10	Q But not all of them?
11		total of revenue generated that went into that report, and	11	A Correct.
12		that's where, when I first started doing the stat report,	12	Q Approximately how many did you do?
13		that I saw that.	13	A Three or four,
14	Ω	Were you ever-commended for the number of vehicles that		
15	V	were seized in any particular raid because of the fact	14-	Q Is there any reason why you couldn't have written down a
16		that the city would benefit financially as a result of	15	description of the three or four people who you issued
17		that?	16	citations to?
18	٨		17	MR. ASHFORD: Objection to foundation,
	Α		18	BY MR. GOODMAN:
19 20	Q	Yes.	19	Q Over objection.
20	A	·	2:0	A Just the logistical reason. I would have had to have gone
21	Q	Did anyone ever verbally tell you, "Good job. The city is	21	back through the crowd and tried to pick out this person
22		going to be able to make some money off of this particular	22	from that person. Getting the main engagers is a priority
23		raid <sup>11</sup> ?	23	over the loiterers, if that makes sense.
24	Αk	We were told good job a lot, but I don't recall anybody	24	Q Even the main engagers, however, weren't described; is
25		saying, "Good job. You made the city some money." Nobody	25	that right?

# Daniel Buglo 9/21/2011

#### 31 (Pages 118 to 121)

	of trages	TTO C	0 121)
	Page 118		Page 120
1	A The bartender isn't as in depth as the last time; no, they	1	four more.
2	weren't.	2	Q Did you observe any physical force being used to either
3	Q Not at all.	3	get people to stand up or sit down or comply in any way
4	A They were described as engagers and what their function	n 4	with these orders?
5	was as far as bartender, doorman, things like that were.	5	A When they first made entry, myself and Lieutenant Yost
6	Detailed clothing or facial hair, things like that, no.	6	were more toward the front where there were less people.
7	Q So let's go back to Exhibit 4, if we may, and defendant	7	The majority of the people were either in the back dance
8	number 20, Ms. Jennifer Lynn Agar. If I asked you to	8	area, in the back outside gated area, or in the little
9	describe her at this point, you wouldn't be able to; am I	9	hallway. So the people that I saw, the handful that I
10	right about that?	10	saw, the narcotics crew, as they went through, people got
11	A That's correct.	11	down on the floor on their own, and I did not see any
12	Q Blonde, brunette, tall, short, you have no idea, right?	12	assistance being given to them to get to the floor. The
13	A Right.	13	people I saw complied verbally with the verbal commands.
14	Q Heavy, thin, none of that?	14	Q So you observed no physical force whatsoever; is that
15	A No.	15	correct?
16	Q Now, Miss Agar was charged with a crime, ordinance	16	A Correct.
17	violation of loitering, correct?	17	Q Did you see anyone being kicked by a police officer?
18	A Correct.	18	A No.
19	Q If she had gone to court and you had been asked to	19	Q Have you ever heard reports of anyone being kicked by a
20	identify her, would you have been able to?	20	police officer?
21	A Depending on how quickly the case went to court after	21	A In my career?
22	issuing the citation, possibly.		Q No. In the course of this particular raid.
23	Q Possibly not, though?	23	A I think afterwards I overheard somebody say that he was a
24	A Possibly not.	24	law student or a lawyer, and he was forced to the ground,
25	Q And you had no assurance that you would be able to	25	or he tried to get up and express himself, and he
	Page 119		Page 121
1	identify her because you didn't have a written description	1	complained that he was forced to the ground, but I did not
2	of her anywhere; isn't that right?	2	observe it firsthand.
3	A Correct.	3	Q Do you know whether that gentleman said that he had been
4	Q That's the reason why, when you do write detailed PCRs,	4	kicked?
5	CRISNETs, and other police reports, you do describe people	5	A You know, he said forced to the ground. I don't know. I
6	as best you can, isn't it?	6	don't recall if he said kicked or not.
7	MR. ASHFORD: Objection, no foundation.	7	Q Might have?
8	BY MR. GOODMAN:	8	A Possibly. I don't recall,
9	Q Go ahead.	.9	Q Do you recall him showing you any article of his apparel
10	A Correct.	10	
11			that showed any footprints on his shirt let's say?
12	Q In the course of the raid, from what you observed, were	11	that showed any footprints on his shirt let's say?  A No.
	any firearms drawn by any of the officers engaged in the		A No. Q Did you investigate his claim that he had been forced or
13	any firearms drawn by any of the officers engaged in the raid when they entered the building?	11 12 13	A No.  Q Did you investigate his claim that he had been forced or pushed to the ground?
1.3 1.4.	any firearms drawn by any of the officers engaged in the raid when they entered the building?  A The narcotics crew routinely enters, makes entry with	11 12 13 14 -	<ul> <li>A No.</li> <li>Q Did you investigate his claim that he had been forced or pushed to the ground?</li> <li>A - No Like I said, there's a lot of things that-you-hear</li> </ul>
13 14 15	any firearms drawn by any of the officers engaged in the raid when they entered the building?  A. The narcotics crew routinely enters, makes entry with weapons drawn. There's a shotgun person that has an	11 12 13 14 -	<ul> <li>A No.</li> <li>Q Did you investigate his claim that he had been forced or pushed to the ground?</li> <li>A - No Like I said, there's a lot of things that you hear going in passing, and I believe I heard that when I was</li> </ul>
1.3 14 15 16	any firearms drawn by any of the officers engaged in the raid when they entered the building?  A. The narcotics crew routinely enters, makes entry with weapons drawn. There's a shotgun person that has an exposed shotgun, and the other members of the raid team do	11 12 13 14 - 15 16	<ul> <li>A No.</li> <li>Q Did you investigate his claim that he had been forced or pushed to the ground?</li> <li>A - No Like I said, there's a lot of things that you hear going in passing, and I believe I heard that when I was getting up to walk outside to get my badge and then come</li> </ul>
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#### Daniel Buglo 9/21/2011

#### 32 (Pages 122 to 125)

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		Page 122			Page 124
1		and I believe he was ordered back down to the ground	1		there that night, I'm not sure.
2		because it was in that process while people were still	2	0	
3		trying to get secured, and then after that I didn't hear	3	`	a raid like this?
4		anything else of it.	4	Α	All the needed paperwork, the forfeiture paperwork,
5	0	Did you hear any other complaints from any other persons			impound cards, extra tickets. There's a big raid box we
6	`	that they had physically been mishandled, of any physical	6		call it. It's a plastic tub filled with those type of
7		force whatsoever?	7		things. It's mostly paperwork,
8	Α	I didn't hear of any physical force, I heard some	8	0	
9		complaints of people got dirty, because I think it was	9	V	a raid such as this?
10		raining at one point or it had rained, and people outside,	10	Δ	Depending on our surveillance that we do prior, I mean, we
11		the narcotics crew made them lay on the ground, also, and	11	11	usually have a couple of hundred in the tub on hand.
12		there was some complaints of being made to lay on wet	12	٥	Now, with regard to locating the vehicles Withdraw that
13		ground or dirty ground, things of that nature.	13	V	question.
14	Q		14		With regard to the vehicles that get impounded,
15	,	From the point of entry to the last person walking out was	15		seized and impounded, where are those vehicles located?
16	11	three hours, four hours. I'm not positive of the exact	16	A	
17		time.		. A	· ·
18	^		17		Before they're impounded.
19	Q	Was the period of time during which they were detained	18	A	Oh, there's some Well, the building is on a corner, so
20		there documented in any form? In other words, was there a			there's some on either side of either street, and there
21		time from the beginning of the raid, was that set out in any documentation and then for the end of the raid as	20		was a vacant lot north of the location that was filled
22		well?	21	^	with vehicles.
	À		22	Q	Are there any guidelines in terms of which vehicles are to
23	A	I don't think so. I think there would be the point from	23		be seized? In other words, someone says, "Well, I drove
24 25		when Lieutenant Yost called to get the raid crew rolling	24		to the State Fairgrounds in my car, and then I took a bus
25		to our off-duty time, we're usually off duty within an	25		Downtown from the State Fairgrounds to get to this
		Page 123			Page 125
1		hour of after the last person walks out, so you could kind	1		location." Would the car in which they drove to the State
2		of ballpark it from there how long all the processing	2		Fairgrounds which is parked on Woodward Avenue and Eight
3		took. But from point A to point B, an exact record, I	3		Mile or something like that, would that be seized?
4		don't know.	4	Α	I would not seize it.
5	Q	You indicated that a table to process people had been set	5	Q	Who makes the decision?
6		up inside the establishment, the CAID; is that correct,	6	Α	Probably the I guess the convenience or the logistics
7		sir?	7		of it would be a factor. I can't processing a scene
8	A	Yes.	8		like this, I can't spare an officer from there to go to
9	Q	Where did that table come from? Was it the property of	9		Eight Mile and Woodward to get the vehicle if the vehicle
10		the establishment itself, or was it brought with you by	10		is in fact there. Whether you would believe the person or
11		your raid teain?	11		not would be a factor.
12	Α	It was in the location. Whose property it was, I don't	12	Q	Suppose someone says, "Well, I drove about a half mile
13		know, but it was in the location.	13		over to my boyfriend's house, and he drove me the rest of
14	Q	You didn't bring that kind of thing with you; is that	14		the way over here," would you go over a half mile away and
15		right?	15		pick the car up and seize and impound it?
16	Α	If we did, we didn't use it. We oftentimes do bring	16	Α	The boyfriend drops her off, she stays, he goes back?
17		tables and chairs, but if there's any in the facility that	17	Q	Let's say.
18		will suit us, then we'll use it.	18	Α	I would not.
19	Q	You bring tables and chairs with you for purposes of	19	Q	What if the boyfriend stayed?
20		processing large numbers of people who have been detained?	20	A	He was in the location during the time of the raid?
21	Α	We have in the past.	21	Q	Right.
22	Q	Do you know if the tables and chairs were present with you	22	A	
23		on this evening, and you just didn't need to use them?	23	Q	What about the girlfriend's vehicle that's a half mile
24	A	I don't know if they were present. We bring along a raid	24	•	away at his house?
25		van, and sometimes it's stored in there. Whether it was	25		No.
		l			•

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#### Daniel Buglo 9/21/2011

## 33 (Pages 126 to 129)

Page 126  1 Q Why not?  2 A I guesa, because those two are in that place at the time of the raid, and his vehicle was there, he transported them there, he vehicles in strit attached.  5 Q So is it a matter of practicality, what is practical in terms of asking someous's wehicle?  6 terms of asking someous's wehicle?  6 P A Practicality and discretionary.  8 Q Well, what fluctors play upon one's discretion, deciding whether or not to sea as wehicle or not?  10 A Just the things you mentioned flore, the location of the flore high whether or not it's actually where. A griffiend driving to he boyfriend's house, and then they but get in his car and go there, that would be a discretionary thing.  15 Q Once the raid started, as I understand your testimony and discretion, deciding every testimony, sir?  16 everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained, ticketed everybody who was in the location was detained. The was a supplied to the location was detained, ticketed everybody who was in the location was detained. The was a supplied to the location was detained that tight?  2 Q In your judgment, as a law enforcement office, did the search warrant give you file authority to detain the policy is the prople who you detained that tight?  2 Q			33 (1 ages 1	.20 0	.0 123)
2 A Taguesa, because those two are in that place at the time 3 of the raid, and his vehicle was there, he transported 4 them there, her vehicle is art stuched. 5 Q So is it a matter of practicality, what is practical in 5 terms of solzing someone's whele? 7 A Practicality and discretionary. 8 Q Well, what factors play upon one's discretion, deciding 9 whether or not to seize a vehicle or not? 10 A Just the things you mentioned there, the location of the 11 Sate Fairgrounds, whether or not it's seize a vehicle or not? 12 giffriend driving to her boyfriend's bouse, and then they 13 both get in his car and go there, that would be a 14 discretionary thing. 15 Q Once the raid started, as I understand your testimony, 16 everybody who was in the location was detained, disched of 17 everybody who was in the location was detained, disched of 18 your testimony, sir? 19 A That's my understanding. 20 Q In your judgment, as a law enforcement officer, did the 21 earn'twartan by itself subtrivize you to do those things 22 on that particular evening? 23 A Dowhich things, sir? 24 Q To destin and ticket people and tow their cars. 25 A Did the search warrant give me — Could you repeat the 26 Q And to ticket them as well? 27 A Yes. 28 A Did the search warrant give me — Could you repeat the 29 Page 127 20 Q Did the search warrant give ou the autionity to detain 21 question? 22 Q Did the search warrant give ou the autionity to detain 23 the people who you detained that night? 24 Q To destin and ticket people and tow their cars. 25 A Dowhich things, sir? 26 Q And to ticket them as well? 27 A That's my understanding. 28 Q And then to tow their vehicles as well; is that correct, 29 Q Did the search warrant give ou the autionity to detain 30 the people who you detained that night? 31 Q Bould the town their vehicles as well; is that correct, 32 A Dowhich things, sir? 33 BYMR GOODMAN: 34 Yes. 35 Q And then to tow their vehicles as well; is that correct, 36 air? 36 Q And then to tow their vehicles as well; is that correct, 37 Q And then to			Page 126		Page 128
2 A Taguesa, because those two are in that place at the time 3 of the raid, and his vehicle was there, he transported 4 them there, her vehicle isn't attached. 5 Q So is it a matter of precicality, what is practical in 5 terms of solzing someone's whiche? 7 A Practicality and discretionary. 8 Q Well, what factors play upon one's discretion, deciding 9 whether or not to seize a vehicle or not? 10 A Just the things you mentioned there, the location of the 12 Sate Fairgrounds, whether or not if's seizally there. A 13 giffriend driving to her beyfriend's house, and then they 14 discretionary thing. 15 Q Once the raid started, as I understand, your testimony, tip? 16 everybody who was in the location was detained, ticketed 17 and if they had a vehicle, the vehicle was towed. Is that 18 your testimony, sir? 19 A That's my understanding. 19 Q To destin and ticket people and tow their cars. 20 Q In your judgment, as a law enforcement officer, did the 19 acard warrant by itself authorize you to do those things 20 on that particular evening? 21 Q To destin and ticket people and tow their cars. 22 A Do which things, sir? 23 A Do which things, sir? 24 Q To destin and ticket people and tow their cars. 25 A Did the search warrant give me — Could you repeat the 26 Q And to ticket them as well? 27 A Yes. 28 Q And dien to tow their vehicles as well; is that correct, 29 a first single the bottom of the front page of this exhibit, 21 tays, "The OlC shall be updated on the planned mid," Who is the OlC in this particular instance, if you know? 21 tays in the people who you want the policy is to be in connection with a bilind pig raid? 2 Q To destin and go there, the towards be used in the planned mid," Who is the OlC in this particular instance, if you know? 2 MR. ASHFORD. Objection, asked and answered. 3 MR. ASHFORD. Objection, asked and answered. 4	1	Q	Why not?	1	Q Sergeant Buglo, you have now read the Raid Execution/Blind
of the raid, and his vehicle was there, he transported them there, her vehicle ien't attached.  Q So is it is matter of practicality, what is practical in terms of seizing someone's vehicle?  A Practicularly and discretionary.  Q Well, what factors play upon one's discretion, deciding whether or not to seize a vehicle or not?  Note and a strict of the policy is to be in connection with a blind pig raid?  Note of the fact and the policy is to be in connection with a blind pig raid?  Note of the raid and the policy is to be in connection with a blind pig raid?  Note of the raid and the policy is to be in connection with a blind pig raid?  Note of the raid and the policy is to be in connection with a blind pig raid?  Note of the raid started, as a thick or not to seize a vehicle or not?  Note of the raid started, as I understand your testimony, everybody who was in the location was detained, it detect and if they had a vehicle, the vehicle was towed. Is that your testimony, sir?  Note of the policy who was in the location was detained, it detect and if they had a vehicle, the vehicle was towed. Is that your testimony, sir?  Note of the policy who was in the location was detained, it detect and if they had a vehicle, the vehicle was towed. Is that your testimony, sir?  Note of the raid started, as I understand your testimony, sir?  Note of the raid started, as I understand your testimony, sir?  Note of the raid started, as I understand your testimony, sir?  Note of the missay. The raid cummander shall have operationally the missay. The raid cummander of this particular venical of this particular venical.  Note of the missay. The raid cummander shall have operationally the one is the proposed who was in the location was detained, it detect.  Note of the missay. The raid qummander shall have operationally the operation of the search was not the policy. I was not the policy of the search was not the location of the search was not the policy. I was not the policy of the search was not the policy of the search was not t			-		
them there, her vehicle isn't attached.  Vol. So is it a matter of practicality, what is practical in terms of seizing someone's vehicle?  A Practicality and discretionary.  B Q Well, what factors pluy upon one's discretion, deciding whether or not to seize a vehicle or not?  A Just the things you mentioned there, the location of the 10 both get in his or and go there, that would be a discretionary thing.  D Q Once the raid started, as I understand your testimony, 15 everybody who was in the location was detained, tickeds 17 and if they had a vehicle, the vehicle was towed. Is that you restimony, 16 everybody who was in the location was detained, tickeds 17 you restimory, 17 everybody who was in the location was detained, tickeds 17 you you restimony, 18 your pudgment, as a law enforcement officer, did the search warrant by their authorize you to do those things on that particular evening?  A That's my understanding.  A That's my understanding.  A Do which things, sir?  Q To detain and licket people and low their cares.  A Did the search warrant give me — Could you repeat the 20 Do you know whether assignments were designated to 19 Page 129  Page 129  Question?  A Yes.  Page 127  Page 129  Page 129  Pages 129  Pages 129  Pages 129  Page 129  Pages 129	3			3	
5 Q So is it a matter of practicality, what is practical in terms of seizing someous's vehicle?  A Practicality and discretionary.  8 Q Well, what factors play upon one's discretion, deciding whether or not to size a vehicle or not?  10 A Just the things you mentioned there, the location of the state Pairing with the profite of the polyfrend's bouse, and them they belt grid little discretionary thing.  13 both get in his car and go there, that would be a discretionary thing.  14 discretionary thing.  15 Q One the raid started, as I understand your testimony, everybody who was in the location was detained, licketed and if they had a vehicle, the vehicle was towed. Is find your restimony, sir?  16 everybody who was in the location was detained, licketed and fively had a vehicle, the vehicle was towed. Is find your restimony, sir?  18 A That's my understanding.  20 Q In your judgment, as a law enforcement officer, did the search warrant by itself authorize you to do those things on that warrant they itself authorize you to do those things on the pople who you dealared that night?  19 A To detain and ticket people and low their cares.  21 A Yes.  22 Q Did the search warrant give me — Could you repeat the pople, who you dealared that night?  23 Q And who are the sergeants from nacrotics, if you know?  24 A Yes.  25 Q Did the search warrant give you the authority to detain the people who you dealared that night?  26 A Yes.  27 Q And to ticket them as wall?  28 A Yes.  29 Q Did the search warrant give provided the prople of the could you repeat the pople who you dealared that night?  29 Q Did the search warrant give provided the prople who you dealared that night?  20 Q And the not tow their vehicles as well; is that correct, sir;  20 Q And the not tow their vehicles as well; is that correct, sir;  21 Q And the not tow their vehicles as well; is that correct, sir;  22 Q And who are the sergeants from nacrotics, if you know?  23 Pay MR. GOODMAN:  24 Q The narrotice crews have a predesignated shottgun person, and they d	4		· · · · · · · · · · · · · · · · · · ·	4	Q Does the information that's contained in that exhibit
be in connection with a blind pig raid?  A Practicality and discretionary.  Practicality and discretionary.  A Well, what factors play upon one's discretion, deciding whether or not to seize a vehicle or not?  A Just the things you meniode there, the location of the 11 Starte Pairgrounds, whether or not it's actually there. A 12 grifficined driving to her boy friend's house, and then they 12 grifficined driving to her boy friend's house, and then they 13 both get in his our and go there, that would be a discretionary thing.  A The first may understanding everybody who was in the location was detained, ticketed and if they had a vehicle, the vehicle was towed. Is that you restimose, sir?  A That's my understanding a the particular revening?  A That's my understanding the policy who was an interest of the search warrant by itself authorize you to do those things on that particular evening?  Did the search warrant give me — Could you repeat the people who you detained that night?  Page 127  question?  A That's my understanding.  Page 127  Q Did the search warrant give you the authority to detain the pople who you detained that night?  A Yes.  Page 127  Q And then to tow their vehicles as well; is that correct, of the pople who you detained that night?  A That's my understanding.  Q And then to tow their vehicles as well; is that correct, of the pople who you detained the night?  A That's my understanding.  Q Did the search warrant give you the authority to detain the pople who you detained that night?  A The arrance of the search warrant give and the pople who you detained the night?  A The search warrant give me— Could you repeat the pople who you detained the night?  A Yes.  Q Did the search warrant give you the authority to detain a signment of preagents from narcotics, if you know?  A The arrance of the search warrant give you the authority to detain and the pople who you detained that night?  A Yes.  Q Did the search warrant give me— Could you repeat the pople who you detained the night?  A Yes.  Q The hard o	5	0		5	
7 A Practicality and discretionary and discretion, deciding whether or not to seize a vehicle or not?  8 Description of the frent page of this exhibit, it says, "The OIC shall be updated on the planned risk."  10 A Just the things you mentioned there, the location of the 1 says, "The OIC shall be updated on the planned risk."  11 Slate Fairgrounds, whether or not it is eatularly there. A 1 statement You. It seems that the decision of the frent page of this exhibit, it says, "The OIC shall be updated on the planned risk."  11 A Leatemant You. It seems that the obtion of the frent page of this exhibit, it says, "The OIC shall be updated on the planned risk."  12 A That's my understanding.  13 De which things, sir?  14 A Do which things, sir?  15 Q In your judgment, as a law enforcement officer, did the search warrant by itself authorize you to do those things on the particular evening?  15 A Do which things, sir?  16 Page 127  17 Question?  18 Page 127  19 Question?  10 Question?  11 A Leatemant You.  12 Q And then it says, "The risk evantion and designate and if they had a vehicle, the vehicle was towed. Is that 17 with reference to this exhibit.  16 MR. ASHFORD: Objection, asked and answered.  17 MR. ASHFORD: Objection, asked and answered.  18 MR. ASHFORD: Objection, asked and answered.  19 MR. ASHFORD: Objection, asked and answered.  19 MR. ASHFORD: Objection, asked and answered.  20 MR. ASHFORD: Objection, asked and answered.  21 MR. ASHFORD: Objection, asked and answered.  22 MR. ASHFORD: Objection, asked and answered.  23 MR. ASHFORD: Objection, asked and answered.  24 MI don't not would like an unswer with reference to this exhibit.  25 MR. ASHFORD: Objection, asked and answered.  26 MR. ASHFORD: Objection, asked and answered.  27 MR. ASHFORD: Objection, asked and answered.  28 MR. ASHFORD: Objection, asked and answered.  29 MR. ASHFORD: Objection, asked and answered.  29 MR. ASHFORD: Objection, asked and answered.  20 MR. ASHFORD: Objection, asked and answered.  21 MR. ASHFORD: Objection, asked and answer	6	`		6	
8 Q Well, what factors play upon one's discretion, deciding whether or not to seize a vehicle or not?  A Just the things you mentioned there, the location of the State Fairgrounds, whether or not it's actually there. A jufficient driving to her boyfriend's house, and then they both get in his car and go there, that would be a discretionary thing.  14 discretionary thing.  15 Q Once the raid started, as Junderstand your testimony, 15 everybody who was in the location was detained, ticketed and if they had a vehicle, the vehicle was towed. Is that you restimony, sir you was first and if they had a vehicle, the vehicle was towed. Is that you restimony, sir you have the raid started, as Junderstanding.  16 Q Once the raid started, as Junderstand your testimony, 15 everybody who was in the location was detained, ticketed and if they had a vehicle, the vehicle was towed. Is that you restimony, sir?  19 A That's my understanding.  19 A That's my understanding.  20 Q In your judgment, as a law enforcement officer, did the search warrant by itself authorize you to do those things on that particular evening?  21 Q To detain and ticket people and tow their cars.  22 D To detain and ticket people and tow their cars.  23 A Do which things, sir?  24 Q To detain and ticket people and tow their cars.  25 A Did the search warrant give me — Could you repeat the they only on detained that night?  26 Q Find the search warrant give you the authority to detain the people who you detained that night?  27 Q Did the search warrant give you the authority to detain the prople who you detained that night?  28 Q And to ticket them as well?  29 Q And then to tow their vehicles as well; is that corroct, sir??  30 A That's my understanding.  31 The prople who you detained that night?  32 A Down whether assignments. I know bineful warrant give you the authority to detain the prople who you detained that night?  33 The prople who you detained that night?  34 A That's my understanding.  35 The prople who you detained that night?  36 A That's my	7	Α	_	7	
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both get in his car and go there, that would be a discretionary thing.  discretionary thing.  discretionary thing.  discretionary thing.  discretionary thing.  everybody who was in the location was detained, ticketed and if they had a vehicle, the vehicle was towed. Is that your testimony, sir?  A That's my understanding.  Q In your judgment, as a law enforcement officer, did the continual revening?  A Do which things, sir?  A Do which things, sir?  A Did the search warrant by itself authorize you to do those things on this particular evening?  A Do which things, sir?  A Did the search warrant give me — Could you repeat the question?  Q Did the search warrant give you the authority to detain and ticket people who you detained that night?  A Yes.  A Yes.  A Yes.  A Yes.  A Yes.  A Yes.  A Mathen to tow their vehicles as well; is that correct, in the profile of identification.  B YMR. GOODMAN:  Page 127  Page 129  Page 129  Page 129  Page 129  Page 129  A That's my understanding.  A Yes.  A Yes.  A Yes.  A Mathen to tow their vehicles as well; is that correct, in the profile of identification.  B YMR. GOODMAN:  Page 129  A That's my understanding.  A That's my understanding.  B WMR. GODMAN:  Yes.  A Yes.  A Yes.  A Yes.  A Yes.  A Yes.  B WMR. GODMAN:  Page 129  Page 129  Page 129  Page 129  Page 129  Page 129  A The narcotics crews have a predesignated shotgun person, and they do have assignments. I know this wouldn't be any different. I weart there for them handing out their assignments, but that's policy.  Was marked for identification.)  B WMR. GOODMAN:  A Yes.  A That's my understanding.  B WMR. GOODMAN:  A Wes.  B WMR. GOODMAN:  B WMR. ASHPORD: Go ahead.  THE WITNESS: it would have been one of the uniformed officers present at this raid?  A Yes.  A A Yes.  A Mathen to tow their vehicles as well; is th	12			12	Q And then it says, "The raid commander shall have
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19 A That's my understanding. 20 Q In your judgment, as a law enforcement officer, did the search warrant by itself authorize you to do those things on that particular evening? 21 and the particular evening? 22 on that particular evening? 23 A Do which things, sir? 24 Q To detain and ticket people and tow their cars. 25 A Did the search warrant give me Could you repeat the  Page 127  2 Q Did the search warrant give you the authority to detain the people who you detained that night? 2 Q Did the search warrant give you the authority to detain the people who you detained that night? 3 A Yes. 4 A Yes. 5 Q And then to tow their vehicles as well; is that correct, sir? 9 A That's my understanding. 10 (Discussion off the record.) 11 (WHEREUPON, Deposition Exhibit 10 was marked for identification.) 12 (Discussion off the record.) 13 BY MR. GOODMAN: 14 Q I'm handing you what has been marked Buglo Exhibit No. 10 Can you identify this, sir? 15 A Can you identify this, sir? 16 A It's the Nuisance Abstement Statute. 17 Q And a Raid Execution/Blind Pig policy, is that correct, sir? 2 Q I wand you just to take a minute and take a look at the search warrant by itself authorize you to do those things are the sergeants from narcotics, if you know? 2 A Then arroctics crews have a predesignated to Page 129  Page 129  A Then arroctics crews have a predesignated shotgun person, and they do have assignments. I have briefed with narcotics on several raids before, and they do all have specific job assignments. I know this wouldn't be any different. I wasn't there for them handing out their assignments, but that's policy. 2 Q At the bottom, turning to the back of this exhibit, toward the middle there's a statement, quote, "Under no circumstances shall a raid be conducted without the presence of the uniformed officers present at this raid? _ Law Yes.  4 Q I'm handing you what has been marked Buglo Exhibit No. 10  5 Q And a Raid Execution/Blind Pig policy, is that correct, in the presence of the uniformed officers present at this raid?	17			17	MR. GOODMAN: Yeah, but I would like an answer
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23 Q And who are the sergeants from narcotics, if you know? 24 Q To detain and ticket people and tow their cars. 25 A Did the search warrant give me Could you repeat the  Page 127  1 question? 2 Q Did the search warrant give you the authority to detain the people who you detained that night? 3 the people who you detained that night? 4 A Yes. 5 Q And to ticket them as well? 6 A Yes. 6 A That's my understanding. 7 Q And then to tow their vehicles as well; is that correct, sir? 9 A That's my understanding. 10 (Discussion off the record.) 11 (WHEREUPON, Deposition Exhibit 10 use amarked for identification.) 12 was marked for identification.) 13 BY MR. GOODMAN: 14 Q I'm handing you what has been marked Buglo Exhibit No. 10 Can you identify this, sir? 15 A Yes. 16 A It's the Nuisance Abatement Statute. 17 Q And a Raid Execution/Blind Pig policy, is that correct, sir? 18 A Correct. 29 Q Have you seen this before? 20 Q I want you just to take a minute and take a look at the guestions about that. 20 Q I want you just to take a minute and take a look at the questions about that. 21 Q There's a list of actions that are to happen, and they of the procedures, "do you see that are to happen, and they of the procedures," do you see that are to happen, and they	21		search warrant by itself authorize you to do those things	21	sergeants from narcotics.
24 A I don't know. 25 A Did the search warrant give me Could you repeat the  Page 127  1 question? 2 Q Did the search warrant give you the authority to detain the people who you detained that night? 3 and they do have assignments. I have briefed with narcotics on several raids before, and they do all have specific job assignments. I have briefed with narcotics on several raids before, and they do all have specific job assignments. I know this wouldn't be any different. I wasn't there for them handing out their assignments, but that's policy. 3 and they do have assignments. I know this wouldn't be any different. I wasn't there for them handing out their assignments, but that's policy. 4 A That's my understanding. 5 Q And dien to tow their vehicles as well; is that correct, sir? 6 A That's my understanding. 7 Q And the bottom, turning to the back of this exhibit, toward the middle there's a statement, quote, "Under no circumstances shall a raid be conducted without the presence of the uniformed officers and fully marked unit," unquote. Do you see that? 1 Q The handing you what has been marked Buglo Exhibit No. 10 (Q And a Raid Execution/Blind Pig policy, is that correct, sir? 1 Q And a Raid Execution/Blind Pig policy, is that correct, sir? 2 Q Have you seen this before? 3 A Yes. 4 Yes. 5 Q And were there uniformed officers present at this raid? 5 A Yes. 6 Q And a Raid Execution/Blind Pig Policy, I may have one or two questions about that. 7 Q Now, under "Raid Procedures," do you see that portion of the exhibit? 8 A Yes. 9 A	22		on that particular evening?	22	BY MR. GOODMAN:
Page 127  Page 127  page 127  page 127  personnel in this particular raid?  The narcotics crews have a predesignated shotgun person, and they do have assignments. I have briefed with narcotics on several raids before, and they do have assignments. I have briefed with narcotics on several raids before, and they do have sesignments in the raid?  The personnel in this particular raid?  The personnel in this particular raid?  A The narcotics or several raids before, and they do have assignments. I know their resolution they do all have specific job assignments. I know their raid?  A Yes.  The personnel in this particular raid?  A The narcotics or several raids before, and they do all have specific job assignments. I know	23	A	Do which things, sir?	23	Q And who are the sergeants from narcotics, if you know?
Page 127  1 question? 2 Q Did the search warrant give you the authority to detain 3 the people who you detained that night? 4 A Yes. 5 Q And to ticket them as well? 6 A Yes. 6 A Yes. 7 Q And then to tow their vehicles as well; is that correct, 8 sir? 9 A That's my understanding. 10 (Discussion off the record.) 11 (WHEREUPON, Deposition Exhibit 10 uny was marked for identification.) 12 was marked for identification.) 13 BY MR. GOODMAN: 14 Q I'm handing you what has been marked Buglo Exhibit No. 10 15 Can you identify this, sir? 16 A It's the Nuisance Abatement Statute. 17 Q And a Raid Execution/Blind Pig policy, is that correct, 18 sir? 19 A Correct. 20 Q Have you seen this before? 21 A No. 22 Q I want you just to take a minute and take a look at the 23 Raid Execution/Blind Pig Policy. I may have one or two 24 Q The re's a list of actions that are to happen, and they	24	Q	To detain and ticket people and tow their cars.	24	A I don't know.
question?  Q Did the search warrant give you the authority to detain the people who you detained that night?  A Yes.  Q And to ticket them as well?  A Yes.  A The narcotics crews have a predesignated shotgun person, and they do have assignments. I have briefed with narcotics on several raids before, and they do all have specific job assignments. I know this wouldn't be any different. I wasn't there for them handing out their assignments, but that's policy.  A That's my understanding.  D (Discussion off the record.)  (WHEREUPON, Deposition Exhibit 10	25	Α	Did the search warrant give me Could you repeat the	25	Q Do you know whether assignments were designated to
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24 questions about that. 24 Q There's a list of actions that are to happen, and they	22		1	22	
	23		Raid Execution/Blind Pig Policy. I may have one or two	23	A Yes.
25 A Okay. 25 read as follows as I see them: Assignments, entry,	~ .				
			1		

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#### Daniel Buglo 9/21/2011

#### 34 (Pages 130 to 133)

		. 3	1	10 133)
		Page 130		Page 132
1.		identification of all engager, and seizure of persons and	1	Q And it says, in point 3, a photo of all the engagers and
2		evidence. Is that right? Do you see that?	2	loiterers are to be taken. Is that right, sir?
3	A	Yes, I see that.	3	A Yes.
4	Q	Is that your understanding of the different components	4	Q Were photos taken in this case?
5		after the raid entry?	5	A No.
6	Α	Yes,	6	Q And why not?
7	Q	And they are to occur in this chronological order, first	7	A I don't believe the vice unit was issued a camera by the
8		assignments, then entry, then identification of all	8	department.
9		engager, then seizure of persons and evidence; is that	9	Q Now, has it been your experience that when people are
1.0		right?	10	cited for loitering, there are hearings in the 36th
11	A	, , , , , , , , , , , , , , , , , , ,	11	District Court or some court?
12		was done by Lieutenant Yost and myself, so they were	12	A Yes.
13		identified actually before entry, if that matters, that	13	Q In order to determine guilt?
14		specific order there. I mean, if that went out of order,	1.4	A Yes.
15		then that went out of order. It's not hard and fast, I	15	Q Have you appeared at such hearings?
16		mean, the engagers were identified by us before the actual	16	A Yes.
17	_	entry was made, if that makes sense.	17	Q Have you testified?
18	Q	Then it says, under "Prisoner Processing: Information on	18	A I don't recall ever testifying. Most of the defendants
19		all of the patrons (loiterers) shall be recorded before a	19	take some type of plea agreement.
20		disposition is made on these individuals." Do you see	20	Q Did you appear on the particular charges that were issued
21		that?	21	on this night, May 31st?
22		Yes.	22	A No. I don't recall appearing for any of the citations for
23 24	Q	Do you understand what is meant by the word "disposition there?	1	this date.
25	A		24 25	Q Do you know why?
	А	Whether they can go of stay.		A I believe there was an injunction possibly. I don't know
		Page 131		Page 133
1	Q	Whether they're to be charged with violation of the	1	what the legal hangup was, but I believe there was a legal
2		loitering ordinance or not?	2	1
3	A.			hangup with them, and I don't know if they are still in
4		Possibly, yes.	3	limbo, but they were in limbo for a while or possibly not,
	Q	Then it says, "This disposition will be at the discretion		· · · · · · · · · · · · · · · · ·
5	Q		3	limbo, but they were in limbo for a while or possibly not,
6	A	Then it says, "This disposition will be at the discretion of the raid commander." Do you see that? Yes.	3 4 5 6	limbo, but they were in limbo for a while or possibly not, but I haven't testified on any of them.
6 7	A	Then it says, "This disposition will be at the discretion of the raid commander." Do you see that?  Yes.  You don't know who the raid commander was in this	3 4 5	limbo, but they were in limbo for a while or possibly not, but I haven't testified on any of them.  Q Did you talk to a prosecutor about what was going on and whether there would be a prosecution?  A No.
6 7 8	A	Then it says, "This disposition will be at the discretion of the raid commander." Do you see that? Yes. You don't know who the raid commander was in this particular instance. It was one of the sergeants from	3 4 5 6	<ul> <li>limbo, but they were in limbo for a while or possibly not, but I haven't testified on any of them.</li> <li>Q Did you talk to a prosecutor about what was going on and whether there would be a prosecution?</li> <li>A No.</li> <li>Q Did you ever talk to Lieutenant Yost about that?</li> </ul>
6 7 8 9	A Q	Then it says, "This disposition will be at the discretion of the raid commander." Do you see that?  Yes.  You don't know who the raid commander was in this particular instance. It was one of the sergeants from narcotics; is that correct?	3 4 5 6 7 8 9	<ul> <li>limbo, but they were in limbo for a while or possibly not, but I haven't testified on any of them.</li> <li>Q Did you talk to a prosecutor about what was going on and whether there would be a prosecution?</li> <li>A No.</li> <li>Q Did you ever talk to Lieutenant Yost about that?</li> <li>A I believe Lieutenant Yost informed me there was a lawsuit</li> </ul>
6 7 8 9	A Q	Then it says, "This disposition will be at the discretion of the raid commander." Do you see that? Yes. You don't know who the raid commander was in this particular instance. It was one of the sergeants from narcotics; is that correct? That's typically how it works, yes.	3 4 5 6 7 8 9	<ul> <li>limbo, but they were in limbo for a while or possibly not, but I haven't testified on any of them.</li> <li>Q Did you talk to a prosecutor about what was going on and whether there would be a prosecution?</li> <li>A No.</li> <li>Q Did you ever talk to Lieutenant Yost about that?</li> <li>A I believe Lieutenant Yost informed me there was a lawsuit going on, and they were being held up, but as far as the</li> </ul>
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## 35 (Pages 134 to 137)

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		Page 134			Page 136
1	Q	Sergeant, I think you indicated that the people who were	1	0	Were people told that they could sit or that they had to
2	_	issued citations on this particular evening, which would	2	•	remain lying down, if you know?
3		have been May 31st, 2008, at the CAID, there was a	3	A	
4		processing context in which people information was	4	Q	Did you see any people kneeling?
5		taken, people were handed a citation after they had been	5	À	I don't know if they were kneeling or sitting. They were
6		forced to lie on the floor, sit on the floor, and then	6		in a raised position, not laying. Some people were higher
7		were they released after they were processed, sir?	7		up than others.
8	A	Yes.	8	Q	I'm sorry.
9	Q	And I think you said that it might have taken three to	9	A	Some people were higher up than others, so they were
1.0		four hours before the last person was released; is that	1.0		either kneeling or sitting.
11		correct, sir?	11	Q	Did you hear anybody saying that they were uncomfortable
12	Α	That was an approximation, yes.	12		in the position they were in other than the people who
13	Q	How soon was it before the first person was released in	13		were complaining about getting dirty?
14		that group after the police entered the premises?	14	A.	I don't recall anyone saying that they were uncomfortable.
15	A	Between thirty minutes and an hour I would estimate.	15	Q	How many people complained about getting dirty?
16	Q	Okay. How is it decided who would go first and then who	16	A	I don't know an exact number.
17		would go later?	17	Q	More than one?
18		MR. ASHFORD: Objection to the form, garbled.	18	Α	From the voices that I heard from where my position was, I
19		Counsel, if you're going to keep me here all day, I'm	19		would say, yes, it was more than one. I heard more than
20		going to have fun.	20		one voice.
21		MR. KOROBKIN: That's the food-in-the-mouth	21		How long did you personally stay at the location?
22		objection.	22	A	Until I was either the last one to leave or Lieutenant
23		MR, ASHFORD: That's the food-in-mouth	23		Yost was the last one to leave. I was one of the last two
24		objection. Go ahead. You can answer.	24		or three people to leave.
25		THE WITNESS: There's no formal decision process	25	Q	Were any of the people that were issued citations still
		Page 135			Page 137
1		of who goes first and who goes last. I believe it was	1		there when you left?
2 .		determined just from who was closest to the processing	2	`A	
3 -		table from front to back.	3	Q	And who was processing those people when you left?
4	B	Y MR. GOODMAN:	4	Α	I believe there was a man named Timlin there that we
5	Q	Well, somebody had to be calling the people up and saying	5		turned the building over to. I believe it was his
6		you go now, you go next, you go next. Who was doing that?	б	-	building.
7 ·	A	Officers at the processing table.	7	Q	This was Mr. Aaron Timlin?
8	Q	Were there any supervisors at the processing table?	8	Α	I don't remember his first name.
9	Α	I don't know.	9	Q	He was the only person who was left when you left?
10 .	Q	You indicated that for a while you lay on the floor, and	10	Α	There may have been I don't know. There were other
11		then you sat up with your legs crossed in front of you; is	11		people milling about. I don't know if they knew him or
12		that correct? Do you remember that?	12		what they were doing, but they were free to go. They
13	A	Yes. I believe I had my legs — just my knees up. They	13		weren't under our control anymore.
14		weren't crossed, but I did sit up, yes.	14	Q.	Speaking of free to go, before people were discharged at $\_$
15	Q	With your knees folded in front of you; is that right,	15		the processing table or after the processing table, they
16		sir?	16		were not free to go, were they?
17	A	It was a sitting position.	17	Α	They were being detained until we processed finished
18	Q	Did anybody tell you you could rise from the lying	18		processing.
19		position to a sitting position?	19	Q	So the answer to my question would be that they were not
20	A	No.	20		free to go, correct?
21	Q	When you sat up and looked around, did you see other	21	A	Correct.
22		people lying down?	22	Q	I want to ask a little bit about the attire or dress of
23	A		23		the people who came in as a part of the raid. Can you
24		Text I are a second to the second text and text are a second text are a sec			
	Q	Did you see other people sitting up?	24		describe that, please?
25	Q A	Yes.	24 25	A	describe that, please?  The raid teams were what we call masked up. They have

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## 36 (Pages 138 to 141)

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		Page 138		Page 140
1		face masks on.	1	A No.
2	Q	By face masks, what do you mean?	2	Q For any reason?
3		Their faces are covered; their nose and eyes are exposed.	3	A No.
4	Q		4	Q During the times that you engaged in surveillance, had you
5		you heard that?	5	observed any weapons being handled or held or in the
6	A	Yes, I have heard that. That is comparable to the gear	6	possession of anyone?
7		they wear, and the rest are a uniform that's black like	7	A No.
8		mine. And they're in black shirt and black pants much	8	Q Your first surveillance opportunity or event on March the
9		like I'm wearing, but I don't believe they have name tags	9	29th lasted for how long?
10		or their badges or patches. I think they have a narcotics	10	A Maybe a half hour, approximately a half an hour.
11		patch on.	11	Q What about the second one where you actually entered the
12	Q	The narcotics patch being what? Can you describe that,	12	premises and had a couple glasses of beer?
13		piease?	13	A I think that was approximately an hour and a half.
14	Α	It's their unit insignia patch. It says Detroit Police	14	Q And what about the third, which is when you entered before
15		Narcotics. I believe it's gray and white.	15	the raid occurred and were on the premises for some period
16	Q	As far as personal identification of the officers, if I	16	of time; how long did that last?
17		were to encounter you on the street, I would know your	17	A I believe it was a little less than an hour.
18		name immediately because you have a name tag on your shirt	18	Q In any of the complaints that you or your unit had
19		there, right?	19	received in connection with this location, had anybody
20	A	Correct.	20	said that weapons were being brandished or held or used or
21	Q	What about the officers that came in on the raid the night	21	were present?
22		of May 31st, 2008?	22	A Not that I recall,
23	A	I don't know if they have name tags embossed on their	23	Q You mentioned a raid kit before or something like that
24		shirt. There is a police patch on either the left or	24	which you said was kind of a bin in which different
25		right side, and there's a big police patch on the rear of	25	documents and equipment were held. Do you recall that?
		Page 139		Page 141
1		~	1	Page 141
1 2	Q	the shirt, also.	1 2	A Yes.
	Q	the shirt, also.  So that would identify them as being members of the	1 2 3	A Yes, Q Were there interrogation sheets in this raid bin?
2	Q A	the shirt, also. So that would identify them as being members of the Detroit Police Department; is that correct?	2	<ul><li>A Yes.</li><li>Q Were there interrogation sheets in this raid bin?</li><li>A I don't know for sure.</li></ul>
2 3		the shirt, also. So that would identify them as being members of the Detroit Police Department; is that correct? Yes.	2 3	A Yes, Q Were there interrogation sheets in this raid bin?
2 3 4	A	the shirt, also.  So that would identify them as being members of the Detroit Police Department; is that correct?  Yes.  Would it identify them by name?	2 3 4	<ul> <li>A Yes.</li> <li>Q Were there interrogation sheets in this raid bin?</li> <li>A I don't know for sure.</li> <li>Q Have you ever seen such a thing as an interrogation sheet?</li> <li>A Yes.</li> </ul>
2 3 4 5	A Q	the shirt, also.  So that would identify them as being members of the Detroit Police Department; is that correct?  Yes.  Would it identify them by name?  No.	2 3 4 5	<ul> <li>A Yes.</li> <li>Q Were there interrogation sheets in this raid bin?</li> <li>A I don't know for sure.</li> <li>Q Have you ever seen such a thing as an interrogation sheet?</li> </ul>
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# Daniel Buglo 9/21/2011

## 37 (Pages 142 to 145)

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		Page 142			Page 144
1.	Q	If there were no drugs that were confiscated or found,	1		I was not the undercover officer like I was at the CAID.
2		would an interrogation sheet be used?	2	C	
3	A	I don't know. I don't know that that interrogation sheet	3	•	would be the raid that occurred in November; am I right?
4		is the sole function of a narcotics arrest. It may be	4	A	Yes.
5		used for a homicide arrest or questioning suspects. I	5	C	
6		can't speak on it all that intelligently. It doesn't come	6	~	be Exhibit 12, and then the October
7		across in my day-to-day operation,	7	A	
8	Q		8		Exhibit 11 is October 8. Which of these two raids is the
9	A		9	Ų	
10	• •	should be a form number on it.	10	A	raid in which you crossed-threaded with the gang squad?  I don't remember.
11	Q		11		•
12	~	I don't know,		Q	Let me ask you, how is it you managed to conduct a raid in
13		I mentioned previously raids that had taken place at a	12		October and then go back and conduct a similar raid a
1.4	~	location known as the Spoon Room. Do you remember that	13		month later without, you know, any precautions being taken
15		location?			by the Spoon Room?
16	A	Yes.	15	A	The location was being rented out by a lady to different
17	_		16		entities to have parties, and she had a manager I don't
18	Q A		17		recall his name right now who was renting it out to
19	_		18		different people to have different functions there. After
20	Q	Yes. Okay. I believe you're right. And what do you remember about the locations?	19		we raided it the first time, we routinely drive by places
21	A	The first or second?	20		that we raid a week or so later to see if they pop back
22	A		21	_	up, and this place did pop back up.
	Q		22	Q	So the second group didn't even know about the first raid
23	Å	, , , , , , , , , , , , , , , , , , , ,	23		perhaps?
24		and if I remember correctly, when we got the raid team	24		Perhaps. I don't know.
25		rolling, a gang squad unit pulled up in front and got	25	Q	And in the first raid, how many people were issued
		<u> </u>		V	and in the first raid, now many people were issued
		Page 143			Page 145
1		Page 143	····		Page 145
1 2		Page 143 locked out, and we had to do a forced entry. I don't	1		Page 145 citations?
		Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of	1 2		Page 145 citations? I'd have to count. If you give me a minute, I'll count
2		Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad,	1 2 3	A	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up.
2	0	Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.	1 2 3 4	A Q	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here.
2 3 4	_	Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?	1 2 3 4 5	A Q A	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay.
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2 3 4 5	_	Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars. Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon. MR. GOODMAN: Would you mark that as 11, I	1 2 3 4 5 6	A Q A Q	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid?
2 3 4 5 6 7	_	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?	1 2 3 4 5 6 7	A Q A Q A	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair.
2 3 4 5 6 7 8 9	_	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12	1 2 3 4 5 6 7 8	A Q A Q	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was
2 3 4 5 6 7 8 9	À	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)	1 2 3 4 5 6 7 8 9	A Q A Q A Q	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged?
2 3 4 5 6 7 8 9 10	BY	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)	1 · 2 · 3 · 4 · 5 · 6 · 7 · 8 · 9 · 10 · 11	A Q A Q A Q A	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know.
2 3 4 5 6 7 8 9 10 11	A BY Q	Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo	1 2 3 4 5 6 7 8 9 10	A Q A Q A Q A Q	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present?
2 3 4 5 6 7 8 9 10 11 12	A BY Q	Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are	1 2 3 4 5 6 7 8 9 10 11 12	A Q A Q A Q A	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that
2 3 4 5 6 7 8 9 10 11 12 13	A BY Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN:  Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you	1 2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q A Q A	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an
2 3 4 5 6 7 8 9 10 11 12 13 14	A BY Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN:  Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go	1 2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A Q A	Page 145 citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an — instance where somebody was not issued one.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A BY Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN:  Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q A Q A	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A BY Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN:  Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q A Q	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A BY Q A	Page 143 locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it. Okay.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q A Q	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A BN Q A Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN:  Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it.  Okay.  One of the Spoon Room raids occurred in October of '07,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q A Q	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in. They had a full bar set up. They had entertainment, a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A BY Q A Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall?  It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN:  Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it.  Okay.  One of the Spoon Room raids occurred in October of '07, and the next one occurred the following month in November	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A A	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in. They had a full bar set up. They had entertainment, a dise jockey, doorman.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A BY Q A Q	locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it.  Okay. One of the Spoon Room raids occurred in October of '07, and the next one occurred the following month in November of '07; is that correct?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A Q A Q	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in. They had a full bar set up. They had entertainment, a dise jockey, doorman. No license?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A BY Q A Q	locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it.  Okay. One of the Spoon Room raids occurred in October of '07, and the next one occurred the following month in November of '07; is that correct?  Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in. They had a full bar set up. They had entertainment, a dise jockey, doorman. No license? No license, that's correct, no business license, no liquor
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A BY Q A Q	Page 143  locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it. Okay. One of the Spoon Room raids occurred in October of '07, and the next one occurred the following month in November of '07; is that correct? Yes. And were you the reporting officer on each of those	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q A	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in. They had a full bar set up. They had entertainment, a disc jockey, doorman. No license? No license, that's correct, no business license, no liquor license.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q	locked out, and we had to do a forced entry. I don't remember if that was the first or second one, but one of those times there was a conflict with us and a gang squad, a couple of gang squad cars.  Where was the Spoon Room located, if you recall? It's on Schaefer just north of Lyndon.  MR. GOODMAN: Would you mark that as 11, I guess?  (WHEREUPON, Deposition Exhibits 11 & 12 were marked for identification.)  MR. GOODMAN: Okay. I'm going to hand you what has been marked Buglo Deposition Exhibits 11 and 12, and I think these are descriptions or CRISNETs for both of the raids that you mentioned. If you would, just take a few minutes. Go through them so that you can sort out in your own mind which is which, and then tell us about it.  Okay. One of the Spoon Room raids occurred in October of '07, and the next one occurred the following month in November of '07; is that correct?  Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q	citations? I'd have to count. If you give me a minute, I'll count them up. Here. I think I have a rough estimate here. Okay. Is it fair to say that approximately seventy-five people were charged in that raid? That would be fair. And, again, was this a situation where everybody who was at the location was charged? I don't know. You have no recollection. Were you present? I was present. I don't know if every single person that was in there got a ticket or not or if there was an instance where somebody was not issued one. And what was the illegal occupation that was going on at the Spoon Room? There was a full bar. They were charging cover to get in. They had a full bar set up. They had entertainment, a dise jockey, doorman. No license? No license, that's correct, no business license, no liquor

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#### 38 (Pages 146 to 149)

	38 (Pages )	L46 1	to 149)
	Page 146		Page 148
1.	Q At any rate, almost everybody who was at the location was	1	(WHEREUPON, Deposition Exhibit 13
2	arrested at that time; is that right?	2	was marked for identification.)
3	A They were detained and issued citations and released.	3	BY MR. GOODMAN:
4	Q Excuse me. That's right. Issued citations. And those	4	Q Tell me when you're done, if you would.
5	citations were issued based solely upon the fact that they	5	A You can go ahead, sir.
6	were present at the location at the time; is that correct?	6	Q Approximately how many people were issued citations in
7	A I wasn't the undercover officer during that, so if there	7	connection with this raid? And if I were to say would
8	were citations or arrests due to their observations, I	8	an approximation of approximately 104 people sound correct
9	don't know,	9	to you?
10	Q Well, looking at Exhibit 11, everyone there, other than	10	A Yes.
11	the people who were what you might call engagers, were	11	Q And were you present at this raid?
12	charged with loitering, violation of the loitering	12	A Yes, I was.
13	ordinances; is that correct?	13	Q And what was the illegal occupation that was going on at
14	A Correct.	14	that time?
15	Q And are you aware, as the person who entered this report,	15	A It was an unlicensed establishment charging a cover charge
16	of any circumstances with regard to any of these	16	for me to go in. They were selling alcohol. There was
17	individuals, other than their presence at the Spoon Room,	17	drug use on the premises.
18	that would have subjected them to criminal liability	18	Q You issued a number of citations in this particular
19	pursuant to the loitering ordinance?	19	instance; is that correct?
20	A No.	20	A Yes.
21	Q Is the same thing true for Exhibit 12 which would be the	21	Q Again, pursuant to the same ordinance, loitering in a
22	November Spoon Room raid?	22	place of illegal occupation; is that correct?
23	A Yes,	23	A Correct.
24	Q And how many people, approximately, were arrested at that	24	Q And the illegal occupation would have been the illegal
25	time?	25	sale of alcohol and some drug use; is that correct, sir?
	Page 147		Page 149
1	A Zero.	1	A Correct. I believe we took a couple of firearms out of
2	Q Excuse me. Were issued citations, how many people?	2	the place, also.
3	A I'd have to count.	3	Q I believe you did. And you made a number of you issued
4	Q If I were to say approximately	4	a number of citations yourself during this particular
5	MR. ASHFORD: If you know.	5	operation; is that correct?
6	BY MR, GOODMAN:	6	A Yes.
7	Q If I were to say approximately ninety-five, would that	7	Q And the people to whom you issued your citations were
8	appear to be correct?	8	issued citations based solely upon their presence at this
9	A Looking at the pages of how many pages it took to record	9	location at the time of the raid; is that correct?
10	the names, that could be correct.	10	A Correct.
11	Q Were you also present at a raid at a location known as the	11	Q And as far as you know, that would be true of the others
12	Cozy House?	12	as well? At least you know of no other reason why any
13	A Yes.	13	others were issued citations; is that a fair statement?
1 <u>4</u>	Q_ And where is the Cozy House, if you know?	$1_{-4}$	A_ Yes
15	A It's on Six Mile. I'm not sure. Six Mile and Livernois	15	Q Just one moment. I don't believe I have any more
16	area, I believe.	16	questions, but I need to consult with my fellow counsel.
17	(Discussion off the record.)	17	Give us a half a minute.
18	BY MR. GOODMAN:	18	(Discussion off the record.)
19	Q Do you remember when the Cozy House raid was?	19	MR. GOODMAN: I have no further questions, but I
20	A No, I don't.	20	would like to make one brief statement here for the record
21	Q We're going to look for the records now, but my notes	21	which is that we have been advised, in the course of this
22	indicate that it was April 5th, 2008. Does that sound	22	deposition, of the following materials of which we have
23	more or less correct to you?	23	not with which we have not been provided despite the
24	A Could be.	24	fact they have been requested in discovery. One, training
25	Q All right.	25	material from the annual forty-hour block training; two,
			•

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Daniel Buglo 9/21/2011

39 (Pages 150 to 151)

Page 150

Sergeant Buglo's annual evaluations from his date of hire to the present. Only two were produced, and there are more. Three, the monthly tally sheets; four, a cover sheet that is done at the end of every shift; five, the weekly statistical reports; six, the raid plan for the raid at the CAID on May 31st, 2008. MR. ASHFORD: I have no questions. (Deposition concluded at 3:20 p.m.) 

Page 151

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

 I, Denise Moorfoot, a Notary Public in and for the above county and state, do hereby certify that the witness, whose attached deposition was taken before me in the entitled cause on the date and the time and place hereinbefore set forth, was by me first duly sworn to testify to the truth, the whole truth and nothing but the truth; that the testimony contained in said deposition was by me reduced to writing in the presence of said witness by means of stenography; that said testimony was thereafter reduced to written form by mechanical means; and that the deposition is, to the best of my knowledge and belief, a true and correct transcript of my stenographic notes so taken.

I further certify that I am not of counsel to either party nor interested in the event of this cat I was I w

Denise Moorfoot
Notary Public, Oakland County
Acting in the County of Wayne
My commission expires: 10-30-11





# EXHIBIT 5



# 

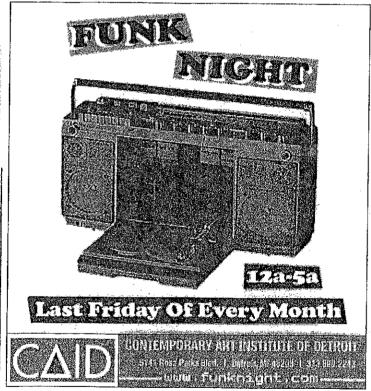
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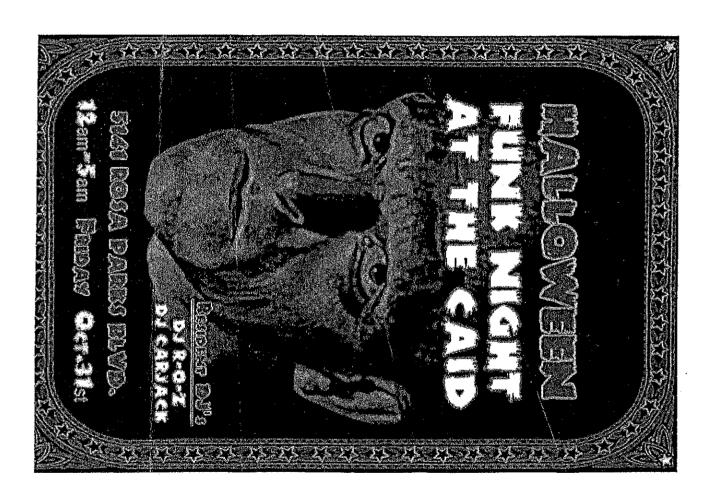
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# EXHIBIT 6



# 2:10-cv-10675-VAR-MKM Doc # 84-7 Filed 04/17/12 Pg 2 of 2 Pg ID 1914

# PRELIMINARY COMPLAINT RECORD

REPORT ON BLIND PIG ACTIVITY	А	SSIGNED TO NAME AN	ID BADGE	INCIDENT NO	COMPLA	INT NO
PLACE OF OCCURRENCE   ☑ON STREET 5141 ROSA PARKS		OCCURRED ON OR BTW	DATE DAY 03/29/08 SAT		NIGHT	CENSUS
NAME & TYPE OF BUSINESS		AND				SCA
TYPE OF BLDG (APT. HOTEL, PRIV RES. Business/Art Center	ETC)	REPORTED TO POLICE	·			
PERSON REPORTING OFFENSE  Daniel Buglo	TITLE <b>Sgt.</b>	ADDRESS Vice	:	PHONE <b>596-2324</b>	AGE	R/S
COMPLAINANT'S NAME	ADDRE	SS		PHONE	AGE	R/S
WAS COMP WORKING? IF YES - OCCUP	ATION, BUSINESS NA	AME & ADDRESS			WAS COMP	_
METHOD OF ENTRY  UNK  NO OF PERPETRATORS  UNK  DESCRIBE:  UNK	METHOD □UNK MALE FEMALE	OF ESCAPE ADULT JUVENIL	E RACE: BLAC		∐YES EAPON TOTAL \	∐no /ALUE:
VICTIM PERP RELATIONSHIP	UNITS NOTIFIED			TIME: DATE:		
	SCRIPTIONS	VABILITY FACTOR WITNESSES  ☐YES	_LIC	ENSE NUMBERS	EVIDEN	CE NO
WRITER AND LT. VICKI YOS' COMPLT. OF ILLEGAL/BLIND SEVERAL WHITE MALES AN WRITER OBSERVED ONE W LIQUOR IN HIS LEFT FRON WRITER OBSERVED A W/F OF PARTNER BOTH SMELLED PATIO AREA WHERE SEVEN VEHICLES PARKED IN FRON DURING OUR SURVEILLAND FEMALES ENTER THE LOCAT	PIG ACTIVITY AD FEMALES ENTAIN EXIT HIS VEIT POCKEDUTSIDE OF THE A STRONG ODGERAL PERSONS TOF, ON THE SICE, WRITER ANI	AT THE ABOVE A TERING THE LOCE HICLE AND COINT T AND PROCES ENTRANCE DR OR OF MARIJUA WERE GATHE IDE OF, AND IN TO D PARTNER OB	DDRESS. AT CATION THRO NCEAL WHAT ED TO THE ED INKING FROM NA COMING FRED. WRITE THE PARKING SERVED APPI	LOCATION, WRI' UGH THE SIDE I APPEARED TO NTRANCE OF T A BEER BOTTLE FROM AN ATTA ER OBSERVED LOT NORTH OF ROX. 15-20 WHI	TER OBS (NORTH) BE A FIF HE LOCA E. WRITE CHED OL APPROX THE LOC TE MALE	ERVED DOOR. FTH OF ATION . ER AND JTSIDE . 50-60 ATION. IS AND
·						
REPORTING OFFICER SIGNATURE: BADGE COMMAND ASSGN S-444 VICE 3403	OTHER OF Lt. Vicki	FICERS INVOLVED I Yost	BADGE L-112	COMMAND VICE		FUR
SUPERVISOR CHECKING REPORT (PRINT)	RANK	SIGNATURE	· Benevi · · · · · · · · · · · · · · · · · · ·	C	COMPUTER EN	ITRY BY
DDD 400 C-4D 702 Dr //20 0 04 //70	UP CODIES TO BE MADE ON	EACH PRELIMINARY COMPLA	INT RECORD PLUS FYTR	AS AS NEEDED) DETROIT PO	DLICE DEPARTM	ENT

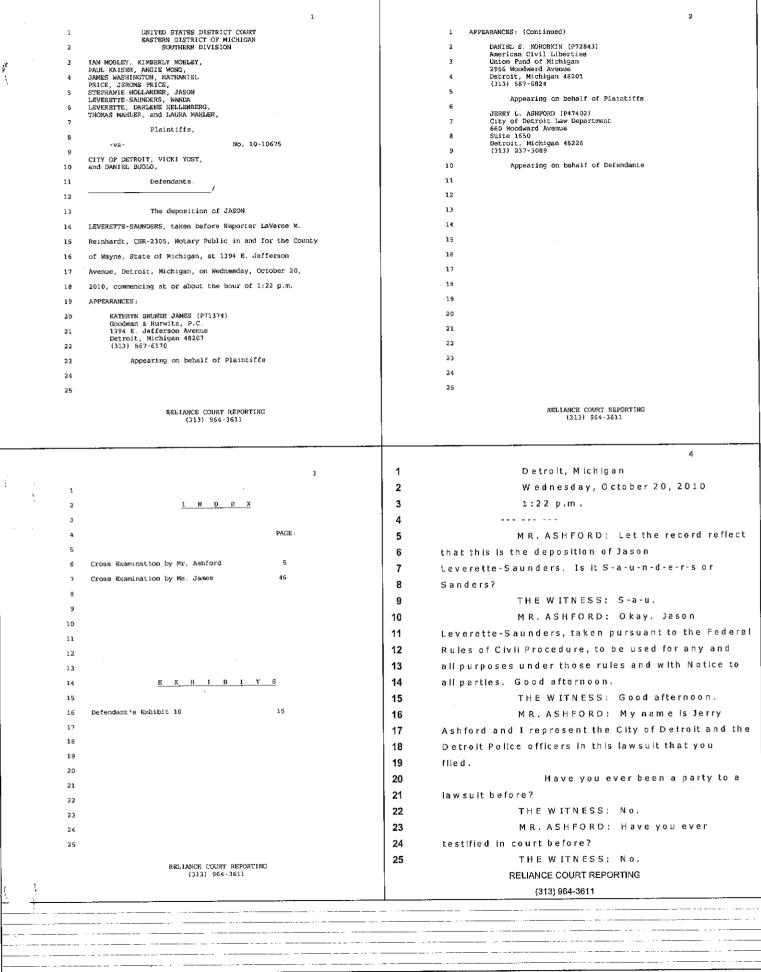
# EXHIBIT 7



# PRELIMINARY COMPLAINT RECORD

REPORT ON BLIND PIG ACTIVITY		ASSIGNED TO NAME A	ND BADGE	IN	CIDENT NO	COMPLA	INT NO
PLACE OF OCCURRENCE ON STREET 5141 ROSA PARKS		OCCURRED ON OR BTW	DATE <b>04/26/08</b>	DAY <b>SAT</b>	TIME 0100		CENSUS
NAME & TYPE OF BUSINESS  Contemporary Art Institute  TYPE OF BLDG (APT. HOTEL, PRIV RES  Business	. ETC)	AND REPORTED TO POLICE	04/26/08	SAT	0230		SCA
PERSON REPORTING OFFENSE  Daniel Buglo	TITLE <b>Sgt</b>	ADDRESS Vice Enforceme	nt	PHONE		AGE	R/S
COMPLAINANT'S NAME	ADI	DRESS		PHON	E	AGE	R/S
WAS COMP WORKING? IF YES - OCCU METHOD OF ENTRY UNK NO OF PERPETRATORS DESCRIBE: UNK UNK VICTIM PERP RELATIONSHIP	METI ∐UI	HOD OF ESCAPE NK LE ADULT JUVENIL	.E RACE: NAME		DESCRIBE W UNK ITE OTHER TIME: DATE:	WAS COMP	□NO
							·
	ESCRIPTIONS	OLVABILITY FACTOF WITNESSES ⊠YES		LICENSE NI	JMBERS  NO	EVIDEN	CE ⊠NO
WRITER, SGT. DANIEL B ENFORCEMENT, ENTERED INVESTIGATE A COMPLAINT MONTH. BOTH OFFICERS FAND \$3.00 EACH FOR A LOCATION. BOTH OFFICE SELECT) AND BOXED WINE FROM A W/F/20-25, SHOULD AND MINGLED WITH THE CFWAS ACTIVE. BOTH OFFICE WAS ACTIVE. BOTH OFFICE WRITER OBSERVED SEVER ALL WERE ALLOWED TO BE SMOKING WHAT APPEARE PICNIC TABLE AND OBSEMARIJUANA AND ROLL 3 MITHE GROUP SITTING/STAN PURCHASED ANOTHER BEEAPPROX. 0230 HOURS AND WAITING TO GET IN. VEHIC REPORTING OFFICER Daniel Buglo S-444, Vice SIGNATURE:	THE ABOVE OF ILLEGAL " PAID \$5.00 COVENTY ONE MONTH RS APPROACE FOR SALE. IF DER LENGTH ROWD OF APP CERS ENTERE AL PEOPLE WE E BROUGHT IN D TO BE MAF RIJUANA CIG IDING AROUN ER FROM THE OBSERVED A LES WERE PU	E LOCATION IN A BLIND PIG" ACTIVIVER CHARGE TO A MEMBERSHIP AND BLONDE HAIR, TA BOTH CANS OF BEEF ITH CANS O	IN UNDERGING TY THAT OF WIM/30-35 NO WERE NO OBSEFURCHASEL TOO ON LIFE ALIVE BAFENCED IN ANTAKE IGARETTES ABLE. AT ER AND PAFE STANDIN	COVER COVER COVER COVER COVER COVER THE ALL COVER COVE	CAPACITY HE LAST F SET, BALD LOWED ER ON TA OF BEER F ST OF CHIE PLAYING A OUTH OF AND SOD ERVED SE OTH OFFICE BAGGIE (C) LIT AND PA K. 0220 H EXITED TH E OUTSIDE	IN ORD RIDAY OF RIDAY OF RIDAY OF RIDAY OF RIDAY OF RIDAY RI	F EACH OATEE, IR THE VEISER DEACH TTERS, BOOTH ILDING. INERS. EOPLE T AT A ECTED ROUND VRITER ION AT DOOR,
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		i B				JOHN DIENE	NIKIDI

# **EXHIBIT 8**



(313) 964-3611

(313) 964-3611

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	_	45			46
1	Α.	From the back, yes. I can't see if any of them	1		CROSS-EXAMINATION
2		have "police" in the front.	2	BY	MS. JAMES:
3	Q.	How about Defendant's Exhibit No. 5, can you kind	3	Q.	After you left the C.A.I.D. building I believe you
1		of see the front? Do you remember seeing anything	4		testified that an officer asked for your keys?
		like that?	5	A.	Uh-huh.
c	Λ		6	Q.	Were you free to say no and not give him your keys?
6	Α.	Once I was inside, yes.			the state of the s
7		MR. ASHFORD: Off the record for a	7	Α.	No, that's why I gave him the wrong key the first
8		moment.	8		time.
9		(Discussion held off the	9		MS. JAMES: No other questions.
10		record.)	10		MR. ASHFORD: I have nothing
11		MR. ASHFORD: Back on the record.	11		further. Thank you very much.
12	BY	MR. ASHFORD:	12		THE WITNESS: Thank you.
13		For the recovery of your mother's motor vehicle did	13		(Deposition concluded at
14	ω,	you ever appear at Wayne County Circuit Court or	14		2:20 p.m.)
		Recorder's Court?	15		2,20 pi(iii)
15	۸				
16	_	I honestly don't know.	16		
17	Q.	, , , , , , , , , , , , , , , , , , , ,	17		
18		Prosecutor's Office regarding the recovery of your	18		•
19		mother's vehicle?	19		
20	A.	No, she did that.	20		
21	Q.	So the only role you really had was contributing to	21		
22		getting it back?	22		
23	A.	Yes.	23		
24	,	MR, ASHFORD: No further questions.	24		
25		Mill Admonds. No farmer questions.	25		·
2.5		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
					(313) 964-3611
		(313) 964-3611			(810) 304-3011
1		CERTIFICATE OF NOTARY			
, · ·	STV	ATE OF MICHIGAN)			
	٠.,	) SS			•
	CO	UNTY OF WAYNE )			
3		·			
4		I, La Verne M. Reinhardt, CSR, Notary Public			
5 -	-in a	and for the above county and state, do hereby certify			· · · · · · · · · · · · · · · · · · ·
6	tha	t the deposition of JASON LEVERETTE-SAUNDERS, was			
7		en before me at the time and place hereinbefore set			•
8		th, that the witness was duly sworn to testify to the th, the whole truth and nothing but the truth, that			
9 10		reupon the foregoing questions were asked and			
11		egoing answers were made by the witness which were			
12		y recorded by me stenographically and later reduced			
13		computer transcription; and I certify that this is a			
14	tru	e and correct transcript of my stenographic notes so			
15	tak	en.			
16		I further certify that the signature was			
17	wa	ived by counsel for the respective parties hereto;			
18	als	o, that I am not of counsel to either party nor	Ì		
19	inte	erested in the event of this cause.			
20 21		Y 1/ 5 0 / 1/11			
4 I		Xalline not want	1		
22		La Verne M. Reinhardt, CSB-2305			
		Notary Public, Wayne County, Michigan			
23		My Commission Expires: 01-02-15			÷
-		win append?			
24					
25			1		
		RELIANCE COURT REPORTING			
		(313) 964-3611	<u> </u>		
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### **EXHIBIT 9**

2:10-cv-10675-VAR-MKM中の別での#F®4R中のE HELIENDER 1/177612 Pg 2 of 15 Pg ID 1931 1 UNITED STATES DISTRICT COURT BASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION APPEARANCES: (Continued) DANIEL S. KOROBKIN (P72842) American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue IAN MOBLEY. KIMBERLY IAN MOBLEY, KIMBERLY
MOBLEY, PAUL KAISER,
ANGIE WONG, JAMES
WASHINGTON, NATHANIEL
PRICE, JEROME PRICE,
STEPHANIE HOLLANDER,
JASON LEVERETIE- SAUNDERS,
WANDA LEVERETIE, DARLENE
HELLENBERG, THOMAS MAHLER
and LAURA MAHLER Detroit, Michigan 48201 (313) 578-6824 Appearing on behalf of Plaintiffs JERRY L. ASHFORD (P47402) City of Detroit Law Department 660 Woodward Avenue Suite 1650 Plaintiffs. Detroit, Michigan 48226 (313) 237-3089 No. 10-10675 10 10 CITY OF DETROIT, VICKI YOST, and DANIEL BUGLO, Appearing on behalf of Defendants 11 12 Defendants. 12 13 13 The deposition of DARLENE HELLENBERG, taken before Reporter LaVerne M. Reinhardt, CSR-2305, 15 16 Notary Public in and for the County of Wayne, State of 17 17 Michigan, at 1394 E. Jefferson Avenue, Detroit, Michigan, on Wednesday, October 20, 2010, commencing at 18 18 19 or about the hour of 11:40 a.m. 19 20 APPRARANCES: KATHRYN BRUNER JAMES (P71374 Goodman & Hurwitz, P.C. 1394 B. Jefferson Avenue Detroit, Michigan 48207 (313) 567-6170 21 22 22 23 21 24 24 Appearing on behalf of Plaintiffs 25 RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING (313) 964-3611 1 Detroit, Michigan 2 Wednesday, October 20, 2010 3 11:40 a.m. NDEX PAGE; 5 MR. ASHFORD: Let the record reflect 6 this is the deposition of Darlene Hellenberg, taken Cross Examination by Mr. Ashford 7 pursuant to the Federal Rules of Civil Procedure, Cross Examination by Ms. James 8 to be used for any and all purposes allowed under 9 the rules with notice to all parties. Good morning, Ms. Hellenberg. 10 11 THE WITNESS: Good morning. MR. ASHFORD: My name is Jerry 12 12 13 Ashford and I'm representing the City of Detroit 13 EXHIBIT 14 14 and the Detroit Police officers that you've brought 15 15 this law sult against. 16 Defendant's Exhibit 3 16 Have you ever given any 17 Defendant's Exhibit 4 17 testimony in a court procedure? 33 Defendant's Exhibits 5 - 9 18 18 THE WITNESS: Yeah, I think I gave a 19 19 deposition before. I was young so I don't really 20 20 know what was really happening, you know what I 21 21 mean. 22 22 MR. ASHFORD: Approximately how old 23 23 24 were you? 24 THE WITNESS: I think I was probably 25 ten or so. RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING

(313) 964-3611

25

Α.

No.

RELIANCE COURT REPORTING

(313) 964-3611

Q. Can you describe the lighting for me inside the

(313) 964-3611

RELIANCE COURT REPORTING

25

(313) 964-3611

(313) 964-3611

		2:10-cv-10675-VAR-MKMPEPD的で学の4ARUEN		<del>G</del> ØBE	
4	0	Did you appear in court on that ticket?	4		46
1		Yes.	1		trying to remember if we actually had to go back a
2 3			3	$\circ$	second time. I don't think we had to go back.
		How many times?  I went to court twice.			Where was this, at the 36th District Court? Yeah.
/ 1			4		
`.	_	What happened the first time?	5		In Detroit, correct?
6	Α.	I think we just had to show up and they gave us a date to come back.	6		Yeah.
7	_		7	ω.	So based on your memory, you only had to go one
8	W.	Were you represented by an attorney that first	8	۸	time?
9	۸	date?	9		Yeah. Yeah.
10	Α.		10	Ų.	And then you were later informed that the ticket
11		Who was that?	11	٨	had been dismissed against you?
12	_	Gosh, I don't remember his name.	12	A.	Yeah, yeah. Like they gave us the date that we
13	Q.	5 5	13		were supposed to have to go back but I don't ever
14		Yeah.	14	_	remember that we had to go back.
15		Your ticket was eventually dismissed, right?	15	Ų.	Have you had any problems with law enforcement
16		That's correct.	16	۸	since then?
17	Q,	During the first time you were there did they	17	Α.	
18		advise you of your rights, tell you what you were	18	Ų.	Now about your car. Were you able to get your car
19	۸	charged with?	19	Α	back?
20		You mean like a court?	20		I was.
21		Yes.	21	Q.	Okay. Did you receive paperwork from the Detroit
22		Yes.	22		Police Department while you were at the C.A.I.D. on
23		The second time you went what happened?	23	٨	May 31, 2008 on how to retrieve your car?
24	A.	, , ,	24	Α.	Yeah, I think it said on the paper that they gave
25		went in and wait, maybe we didn't have to. I'm	25		US.
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
		(313) 964-3611			(313) 964-3611
		47			48
A	$^{\circ}$	Like the paperwork that's similar or the same as		٨	Vonh. I had to go to an impound lot and give
	Q.	Like the paperwork that's similar or the same as	1	A.	Yeah, I had to go to an impound lot and give
. d   		Defendant's Exhibit No. 1?	2		them
3	A.	Defendant's Exhibit No. 1? Yeah.	2	Q.	them So you gave the \$400 was it a check?
4	A.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County	2 3 4	Q. A.	them So you gave the \$400 was it a check? It was a money order.
4 5	A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car?	2 3 4 5	Q. A.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who
4 5 6	A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try	2 3 4 5 6	Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot?
4 5 6 7	A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back.	2 3 4 5 6 7	Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so.
4 5 6 7 8	A. Q. A.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost?	2 3 4 5 6 7 8	Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was?
4 5 6 7 8 9	A. Q. A. Q. A.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct.	2 3 4 5 6 7 8 9	Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know
4 5 6 7 8 9	A. Q. A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that?	2 3 4 5 6 7 8 9	Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street.
4 5 6 7 8 9 10	A. Q. A. Q. A. Q. A.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg.	2 3 4 5 6 7 8 9 10	Q. A. Q. A. Q. A.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit?
4 5 6 7 8 9 10 11	A. Q. A. Q. A. Q. A. Q.	Pefendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car?	2 3 4 5 6 7 8 9 10 11	Q. A. Q. A. Q. A. Q. A.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah.
4 5 6 7 8 9 10	A. Q. A. Q. A. Q. A. Q. A.	Pefendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No.	2 3 4 5 6 7 8 9 10 11 12 13	Q. A. Q. A. Q. A. Q. A.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne
4 5 6 7 8 9 10 11 12	A. Q. A. Q. A. Q. A. Q. A.	Pefendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No. Okay. What happened as far as his fight to try to	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. A. Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne County and do the community service?
4 5 6 7 8 9 10 11 12 13 14 15	A. Q. A. Q. A. Q. A. Q.	Pefendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No. Okay. What happened as far as his fight to try to get your car back?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. A. Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne County and do the community service? I decided that I didn't have the money to pay for
4 5 6 7 8 9 10 11 12 13	A. Q. A. Q. A. Q. A. Q.	Pefendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No. Okay. What happened as far as his fight to try to	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. A. Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne County and do the community service?
4 5 6 7 8 9 10 11 12 13 14 15 16	A. Q. A. Q. A. Q. A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No. Okay. What happened as far as his fight to try to get your car back? Eventually I could get my car back if I paid \$400 and I had to give a speech to some teenagers about	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. A. Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne County and do the community service? I decided that I didn't have the money to pay for my car to get it back, I felt strongly that what happened was unfair and I was also in a position to
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No. Okay. What happened as far as his fight to try to get your car back? Eventually I could get my car back if I paid \$400 and I had to give a speech to some teenagers about the situation and basically what I had learned.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne County and do the community service? I decided that I didn't have the money to pay for my car to get it back, I felt strongly that what happened was unfair and I was also in a position to be able to walk to work and so it just made more
4 5 6 7 8 9 10 11 12 13 14 15 16	A. Q.	Defendant's Exhibit No. 1? Yeah. Okay. And so did you call the Wayne County Prosecutor's Office to get your car? No, I waited and had the lawyer from the ACLU try to fight to get my car back. Okay. Without paying the cost? Correct. Okay. What lawyer was that? His name was, I think it's William Goldberg. Did you have to appear in court regarding your car? No. Okay. What happened as far as his fight to try to get your car back? Eventually I could get my car back if I paid \$400 and I had to give a speech to some teenagers about	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. A. Q. A. Q. A. Q.	them So you gave the \$400 was it a check? It was a money order. So you gave the \$400 money order to the guys who were in charge of the impound lot? Yeah, I think so. Do you know what impound lot it was? It was on Fort Street, I believe. But I don't know the cross street. In Southwest Detroit? Yeah. So why did you decide to settle the case with Wayne County and do the community service? I decided that I didn't have the money to pay for my car to get it back, I felt strongly that what happened was unfair and I was also in a position to
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1 2 3 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	CROSS-EXAMINATION  BY MS. JAMES:  Q. When the police entered the C.A.I.D. on May 31, 2008, I believe you already described what they were wearing but can you describe for me whether they brought anything in or had anything in their hands?  A. Yes. The ones that, you know, first came in through the door, into the room where I was, they had guns.  Q. Do you remember anything else?  A. No.  Q. Do you recall at the time what it is, if anything, that you focused on visually when they entered?  A. I remember, I really remember the bandanas and the guns the most.  Q. Okay. I believe you also testified earlier that you didn't personally observe the police assault any attendees of the C.A.I.D. or vice-versa.  During the period of time between when the police entered and when you were called up and received your ticket were you able to observe, to the best of your knowledge, all of the police and the attendees that were in the room or were there ever police and/or attendees that were RELIANCE COURT REPORTING  (313) 964-3611	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25		A. Net	out of your /es, I know eventually what there when so I do for me.	view, that you know of? view, that most of the or all of the guys were moved away and outside and I know was probably officers out there with didn't see them after we were separated. MS. JAMES: Okay. Nothing further  MR. ASHFORD: I have no further Thank you very much, ma'am. (Deposition concluded at 1:15 p.m.)
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	CERTIFICATE OF NOTARY  STATE OF MICHIGAN) ) SS  COUNTY OF WAYNE  I, La Verne M. Reinhardt, CSR, Notary Public in and for the above county and state, do hereby certify that the deposition of DARLENE HELLENBERG, was taken before me at the time and place hereinbefore set forth, that the witness was duly sworn to testify to the truth, the whole truth and nothing but the truth, that thereupon the foregoing questions were asked and foregoing answers were made by the witness which were duly recorded by me stenographically and later reduced to computer transcription; and I certify that this is a true and correct transcript of my stenographic notes so taken.  I further certify that the signature was waived by counsel for the respective parties hereto; also, that I am not of counsel to either party nor interested in the event of this cause.  La Verne M. Reinhardt, CSR-2305 Notary Public, Wayne County, Michigan My Commission Expires: 01-02-15  RELIANCE COURT REPORTING (313) 964-3611					

### EXHIBIT 10

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ROM ARRIVED TO TOTAL TYPE ACTIVITY OF K P 1100 15 MA  ON DUTY ROLL CALL PER LT YOST PREPARING FOR RAID PREPARING FOR EXECUTION OF SEARCH WARRANT TMU BASE SECONDARY ROLL CALL TMU BASE STANDING BY AWAITING INFORMATION FROM UC OFFICERS INSIDE THE LOCATION.	- LOCATION:			15	90		<u>TI</u>	ME LUNCH TA	KEN:	- I -	VE	HICLE KEYS	TURNED OVE	R TO	<u>.</u> .				
ARRIVED  TO  TOTAL  TYPE ACTIVITY O P K  ON DUTY ROLL CALL PER LT YOST PREPARING FOR RAID ON	E ON PATROL	<u> </u>	ME ON P.R	1		TIME ON	T.S.	TIME	ON I.F		TIME ON S.	.D. T	IME ON S.R.	TIME	N S.S.C.	TIME	Mein		
1100 P 15 MA ON DUTY ROLL CALL PER LT YOST PREPARING FOR RAID 1200 60 MA PREPARING FOR EXECUTION OF SEARCH WARRANT 15 MA TMU BASE SECONDARY ROLL CALL 16 MA TMU BASE STANDING BY AWAITING INFORMATION FROM UC OFFICERS INSIDE THE LOCATION.	OM ARR	IVED	то	TOTAL		T O P	R I S			*						Sme	SALE.		
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TMU BASE SECONDARY ROLL CALL  TMU BASE STANDING BY AWAITING INFORMATION FROM UC OFFICERS INSIDE THE LOCATION.	<del></del>		1200	60	MA		- 1					_					AUD.		
MA TMU BASE STANDING BY AWAITING INFORMATION FROM UC OFFICERS INSIDE THE LOCATION.	15				MA														
DA GOFFICERS INSIDE THE LOCATION.	45				MA			TMU BA	SE	STA	NDING	BY AW	AITING	INFOR	MATI	ON FR	ОМ		
	A			<del></del>	MA			OC OFFI	CEI	K2 II	AZIDE I	HE LO	CATION						

## Detroit Police Department Activity Log

							Saturday, MAY 31, 2008, CRISNET 080531 VICE ENFORCEMENT, (2) TWO NARCOTIC ENFORCEMENT CREWS, AND TMU EXECUTED A SEARCH WARRANT AT 5141 ROSA PARKS, "THE CONTEMPORARY ART MUSEAUM" AT THE ABOVE DATE AND TIME WITH THE FOLLOWING PEOPLE RECEIVING THE FOLLOWING CITATIONS:
							Def. 1: Engager, doorman: Joseph Timlin, w/m/24, 12/14/83 of 1139 saint aubin, Hamtramck, MI. Iss ord U42346408 for "Engage in illegal occupation" by Lt. V. Yost.
*							Def. 2: Engager, bartender: Jennifer Anne Schraeder, w/f/26, 5/5/82 of 31666 Nixon, Beverly Hills, Ml. Iss ord u42346308 for "Engage in illegal occupation" by Sgt. Daniel Buglo
FROM	ARRIVED	то	TOTAL	TYPE ACTIVITY	S T O P	F R I S K	DISPOSITION
							Def. 3: Engager, doorman: Christopher Kane Shoemaker, w/m/29, 6/17/78 of 472 Kimberly Apt. 101 Lake Orion, Ml. Iss ord U42346208 for "Engage in illegal occupation" by Lt. Yost.  Def. 4: Engager, houseman: Brandon Louis Walley, w/m/32, 10/16/75 of 27 E. Willis Apt. 18, Detroit, Ml. Iss ord U42346108
							for "Engage in illegal occupation" by Sgt. Daniel Buglo.
							Def. 7: Steven Brian Keycia, w/m/20, 7/28/88 of 51490 S. Adelle, New Baltimord, Mi. Iss ord U42343008 for "Loiter in a place of illegal occupation" by PO M. Carson.
							Def. 8: Candice Elisabeth Brandelik, w/f/18, 12/13/89 of 15650 Aspen Drive, Macomb Twp., Ml. Iss ord U42342808 for "Loiter in a place of illegal occupation" by PO K. Wheeler.
							Def. 9: Mary Catherine Fraser, w/f/20, 6/14/88 of 23096 roanoke Ave. Oak Park, Ml. Iss ord U42342708 for "Loiter in a place of illegal occupation" by PO D. Holyfield.

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CLI OIL	1 01100	Department Activity Log
		Def. 10: Natalie Elise Viviano, w/f/21, 7/15/86 of 47421 North Ave., Macomb Twp., Ml. Iss ord U42342308 for "Loiter in a place of illegal occupation" by PO C. Coleman.
		Def. 11: Chelsea Macledd Schultz, w/f/19, 5/24/89 of 14153 Four Lakes Drive, Sterling Heights, Ml. Iss ord U42342208 for "Loiter in a place of illegal occupation" by PO D. Carter.
		Def. 12: Jessica Marie Crowley, w/f/27, 5/31/82 of 960 Emwill St., Ferndale, Ml. Iss ord U42342108 for "Loiter in a place of illegal occupation" by Sgt. J. Pritchett.
		Def. 13: Susan Mary Moclzelewski, w/f/19, 10/1/88 of 14321 Troy St. Taylor, Ml. Iss ord U42345708 for "Loiter in a place of illegal occupation" by PO S. Johnson.
		Def. 14: Olivia Marie Pizzo, w/f/18, 11/8/89 of 810 Timberline Dr. Rochester Hills, Ml. Iss ord U42345508 for "Loiter in a place of illegal occupation" by PO T. Gray.
		Def. 15: Ashley Renee Lisi, w/f/18, 3/13/90 of 15345 Glenhurst, Southgate, Ml. Iss ord U42345308 for "Loiter in a place of illegal occupation" by PO J. Passmore.
		Def. 16: Megan Danielle Smedley, w/f/ of 10600 Mt. Vernon Apt 2, Taylor, Ml. Iss ord U42345208 for "Loiter in a place of illegal occupation" by PO. S. Johnson.
		Def. 17: Brittany elizabeth Dallas, b/f/19, 3/2/89 of 17704 Toepfer, Eastpointe, MI. Iss ord U42343708 for "Loiter in a place of illegal occupation" by PO J. Passmore.
		Def. 18: Darlene Celeste Hellenberg, w/f/25, 12/1/82 of 203 College St. Ferndale, Ml. Iss ord U42343508 for "Loiter in a place of illegal occupation" by PO S. Johnson.
 		Def. 19: Lindse Mrie Umlauf, w/f/19, 9/18/80 of 831 Jewell St. Ferndale, Ml. Iss ord U42343608 for "Loiter in a place of illegal occupation" by PO S. Johnson.
		Def. 20: Jennifer Lynn Agar, w/f/24, 3/13/84 of 21034 Ontacha St. Farmington Hills, MI. Iss ord U42345108 for "Loiter in a place of illegal occupation" by Sgt. Daniel Buglo
		Def. 21: Jessica Lynn Martin, w/f/22, 6/17/85 of 13210 Bloomfield Ave. Warren, Ml. Iss ord U42345808 for "Loiter in a place of illegal occupation" by PO J. Passmore.
		Def. 22: Madeline Barick, w/f/19, 3/29/89 of 37612 Adrian, Sterling Hgts., Ml. Iss ord U42341308 for "Loiter in a place of illegal occupation" by PO K. Singleton.

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## Police Department Activity Log

Def. 23: Jessical Nicole Decker, w/f/25, 6/10/82 of 1975 Belmont, Hamtramck, Ml. Iss ord U42341208 for "Loiter in a place of illegal occupation" by PO J. Kisselburg.

Def. 24: Ryan Paul Gates, w/m/21, 9/11/86 of 7033 N. Blair Ave. royal Oak, Ml. Iss ord U42367508 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 25: Joy Alicia wells, b/f/20, 12/01/87 of 29224 Lancaster Dr. #208, Southfield, MI. Iss ord U42343108 for "Loiter in a placeof illegal occupation" by PO T. Gray.

Def. 26: Erin Elizabeth Ellis, w/f/22, 2/10/86 of 4012 Bagley Detroit, Ml. Iss ord U42341108 for "Loiter in a place of illegal occupation" by PO Peacal.

Def. 27: Meghan Hodges, w/f/19, 12/9/88 of 2706 Kipling Ave. Berkley, Ml. Iss ord U42344808 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 28: Patricia Ann Sagy, w/f/23, 3/7/85 of 1109 S. geneva Dr. Dewitt, Ml. Iss ord U42344508 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 29: Ashley Katherine Moore, b/f/21, 4/29/87 of 21640 Virginia Southfield, Ml. Iss ord U42342508 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 30: Amanda Lynn Milke, w/f/18, 10/23/89 of 13316 Talbox Ave. Huntington Woods, Ml. Iss ord U42344608 for "Loiter in a place of illegal occupation" by PO J. Kisselburg.

Def. 31: Chelsea H. Macher, w/f/18, 3/22/90 of 43499 Petrucci, Clinton Twp., Ml. Iss ord U42342408 for "Loiter in a place of illegal occupation" by PO J. Kisselburg.

Def. 32: Elise Strasz w/f/19, 9/3/88 of 5101 Trumbull, Detroit, Ml. Iss ord U42343208 for "Loiter in a place of illegal occupation" by PO S. Jackson.

Def. 33: Anna Stotland, w/f/19, 12/22/88 of 6713 Scotch Lake Dr. W. Bloomfield, MI. Iss ord U42344308 for "Loiter in a place of illegal occupation" by PO S. Jackson.

Def. 34: Lindsay Anne Stover, w/f/27, 5/1/81 of 1415 Parker, Detroit, MI. Iss ord U42344108 for "Loiter in a place of illegal occupation" by PO C. Hopkins.

Def. 35: Jacque Sutton, w/m/21, 5/22/87 of 170 Moross St. Mount Clemons, MI. Iss ord U42367708 for "Loiter in a place of illegal occupation" by Sgt. A. Potts.

## Detroit Police Department Activity Log

Def. 36: Samantha gold, w/f/18, 10/2/89 of 46701 Kobewater, Macomb, Ml. Iss ord U42343308 for "Loiter in a place of illegal occupation" by PO. K. Singleton.

Def. 37: Stephanie Hollander, w/f/20, 11/6/87 of 7269 Creeks Beard Ct. W. Bloomfield, Ml. Iss ord U42344208 for "Loiter in a place of illegal occupation" by PO K. Singleton.

Def. 38: Gabrielle Rentz, w/f/18, 11/18/89 of 35165 Kesler Ct. Clinton Twp, Ml. Iss ord U42344708 for "Loiter in a place of illegal occupation" by PO K. Singleton.

Def. 39: Corinnie Denomme, w/f/19, 4/3/89 of 204 Robertson, Mt. Clemons, Ml. Iss ord U42343408 for "Loiter in a place of illegal occupation" by PO D. Penn.

Def. 40: Anthony Joseph Pratt, w/m/20, 12/12/87 of 2679 Bacon Ave. Berkley, Ml. Iss ord U42368908 for "Loiter in a place of illegal occupation" by PO M. Laws.

Def. 41: Austin Jones, w/m/20, 7/5/87 of 6682 Swartout Rd. Algonac, Ml. Iss ord U42368808 for "Loiter in a place of illegal occupation" by PO M. Carson.

Def. 42: Ashley Rae Hogan, w/f/20, 8/24/87 of 18865 Cass Ave. Apt 102, Clinton Twp., MI. Iss ord U42368708 for "Loiter in a place of illegal occupation" by Sgt. J. Pritchett.

Def. 43: Carlos Antonio Padilla, w/m/19, 9/19/88 of 367 McMillan Rd. Grosse Pte., Ml. Iss ord U42368508 for "Loiter in a place of illegal occupation" by PO D. Holyfield.

Def. 44: Camile Jay Pomaville, w/f/18, 1/19.80 of 17089 White Plains Dr., Macomb, Ml. Iss ord U42368608 for "Loiter in a place of illegal occupation" by PO K. Wheeler.

Def. 45: Marian Louise Schmidt, w/f/19, 1/31/89 of 641 University Place, Grosse Pte., Ml. Iss ord U42368408 for "Loiter in a place of illegal occupation" by PO C. Coleman.

Def. 46: Audrianna Lizette Alvarado, b/f/18, 7/10/89 of 17395 Fenton Detroit, Ml. Iss ord U42368308 for "Loiter in a place of illegal occupation" by PO M. Laws.

Def. 47: Brittany Kimberly Jestice, w/f/22, 4/18/86 of 505 Fort Dearborn St. Dearborn, Ml. Iss ord U42340408 for "Loiter in a place of illegal occupation" by PO T. Gray.

Def. 48: Leah Christian Garvonic, w/f/20, 8/26/87 of 39757 Berkley, Clinton Twp., Ml. Iss ord U42344408 for "Loiter in a place of illegal occupation" by PO D. Penn.

Def. 49: Kimberly Georgins Khamo, w/f/20, 1/31/88 of 5255 Main St. Clawson, Ml. Iss ord U42340308 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 50: Tabitha Taby, w/f/21, 10/24/86, of 2207 Salmon Step - 25d

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## Police Detroit Police Department Activity Log

Def. 50: Tabitha Taby, w/f/21, 10/24/86, of 2217 Salmon St. Manchester, NH. Iss ord U42367208 for "Loiter in a place of illegal occupation" by PO M. Newton.

Def. 51: Brian Edward, w/m/19, 1/8/89 of 17617 Margate Ave. Lathrup Village, Ml. Iss ord U42367108 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 52: Jenna Marie Rinke, b/f/18, 4/21/89 of 37875 Hobarth Rd. Chesterfield Twp. Iss ord U42345608 for "Loiter in a place of illegal occupation" by Sgt. C. Turner.

Def. 53: Sarah Catherine Mercury, w/f/25, 7/26/82 of 2720 Rosa Parks Blvd. Detroit, Ml. Iss ord U42345408 for "Loiter in a place of illegal occupation" by PO T. Gray.

Def. 54: Lynn Marie Losh, w/f/20, 12/10/87 of 15754 Lenore, Redford, Ml. Iss ord U42346008 for "Loiter in a place of illegal occpuation" by PO S. Johnson.

Def. 55: Michelld Ruth Runde, w/f/21, 5/24/87 of 1551 W. Davison Lake Rd. Oxford, Ml. Iss ord U42340208 for "Loiter in a place of illegal occupation" by PO C. Jenkins.

Def. 56: Nicole Pedley, w/f/20, 5/24/88 of 20914 Hayes, Taylor, Ml. Iss ord U42344908 for "Loiter in a place of illegal occupation" by PO D. Penn.

Def. 57: Joshua Wilson, w/m, 5/9/83 of 2242 15th St. Wyandotte, Ml. Iss ord U410092508 for "Loiter in a place of illegal occupation" by PO B. Cole.

Def. 58: Robert Anthony Moglia, w/m, 10/30/77 of 1924 Axtell Dr. Apt 4 Troy, Ml. Iss ord U41092408 for "Loiter in a place of illegal occupation" by Sgt. G. McWhorter.

Def. 59: Neil Matouka, w/m, 6/3/88 of 24040 Republic, Oak Park, MI. Iss ord U41092308 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 60: Michael Peter White, w/m, 6/16/83 of 9706 N. 17th, Plainwell, Ml. Iss ord U41092208 for "Loiter in a place of illegal occupation" by PO B. Cole.

Def. 61: Alexander Owen Elso, w/m/, 9/21/87 of 184 Beoland, Mt. Clemens, Ml. Iss ord U42363908 for "Loiter in a place of illegal occupation" by PO M. Brown.

Def. 62: James William Washington, b/m/, 11/2/80 of 13887 Mackay, Detroit, Ml. Iss ord U42363708 for "Loiter in a place of illegal occupation" by PO M. Brown

## Detroit Police Department Activity Log

Def. 63: Jordan Gregory Calamia w/m, 8/18/88 of 40377 Mount Vernon Dr. Sterling Heights, Ml. lss ord U42366008 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 64: Camilo Acosta, w/m/18, 7/27/89, of 14884 Atwater Dr. Sterling Hgts., Ml. Iss ord U42361608 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 65: Robert Andrew St. w/m/21, 15721 Camden Dr. Macomb, Ml. Iss ord U42361508 for "Loiter in a place of illegal occupation" by Sgt. Daniel Buglo.

Def. 66: Buri Ahmed Khan, w/m, 5/13/84 of 1913 E. Lincoln Ave. Royal Oak, Mi. Iss ord U42361008 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 67: Caitlin Dwne Bruce-Campo, w/f, 2/18/89, of 39500 Chart St. Harrison Twp., Ml. Iss ord U42361408 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 68: Peter Richard Gibbs, w/m/21, 4/21/87 of 549 Troywood Dr. Troy, Ml. Iss ord U41093908 for "Loiter in a place of illegal occupation" by PO D. Holyfield.

Def. 69: Brian James Rozman, w/m/35, 11/27/72 of 1837 Beechmont, Deego Harbor, MI. Iss ord U42361308 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 70: Michael Wayne Malosevich, w/m, 6/18/86 of 436 W. Drayton, Ferndale, MI. Iss ord U41092108 for "Loiter in a place of illegal occupation" by PO B. Cole.

Def. 71: Matthew Steven Smyth, w/m/22, 12/12/85 of 15438 Leona Dr. Redford, MI. Iss ord U42361208 for "Loiter in a place of illegal occupation" by PO J. Passmore.

Def. 72: Anthony Alan Caruso, w/m/24, 4/24/84, of 825 SE Bidwell, Portland, OR. Iss ord U42365908 for "Loiter in a place of illegal occupation" by PO K. Singleton.

Def. 73: James William Washington, b/m, 11/2/80 of 13887 Mackay, Detroit, MI. Iss ord U42363708 for "Loiter in a place of illegal occupation" by Sgt. McWhorter.

Def. 74: Patrick Davis w/m, 2/11/86 of 5256 Jaime Ln. Flushing, Ml. Iss ord U42363508 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 75: Nicholes John Ernst, w/m, 9/25/81 of 1765 Gardenia Apt 215, Royal Oak, Ml. Iss ord U42363608 for "Loiter in a place of illegal occupation" by PO M. Laws.

Def. 76: Nathaniel Price, w/m, 9/6/87 of 604 W. Lewiston Ave. Ferndale, Ml. Iss ord U42363208 for "Loiter in a place of illegal occupation" by Sgt. A. Potts.

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## Detroit Police Department Activity Log

Def. 77: Douglas Addison Hodges, w/m, 10/28/85 of 8166 Turntable, Grosse Ille, Ml. Iss ord U42363108 for "Loiter in a place of illegal occupation" by PO M. Newton.

Def. 78: Aaron Bondroff, w/m, 12/2/82, of 14361 Westpoint St. Taylor, Ml. Iss ord U42363308 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 79: George Strickland, w/m/20, 11/02/87 of 8545 Glengarry Rd. Grosse Ille, Ml. Iss ord U42365808 for "Loiter in a place of illegal occupation" by PO D. Penn.

Def. 80: Joseph Pistono Jr. w/m/22, 2/27/86 of 41874 Pond View Dr. Sterling Heights, Ml. Iss ord U42365708 for "Loiter in a place of illegal occupation" by PO J. Kisselburg.

Def. 81: Jacob Timlin, w/m, 9/18/72 of 27111 Park Ct. Madison Hgts., Ml. Iss ord U41094108 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 82: Adam Cornelius, w/m/25, 10/24/82, of 3720 winchell Ave. Apt. P305, Kalamazoo, Ml. Iss ord U42365608 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 83: James Gross, w/m, 2/23/87, of 47729 Falcon Dr. Shelby Twp., Ml. Iss ord U41092708 for "Loiter in a place of illegal occpupation" by PO J. Cobb-Sanders.

Def. 84: Zachary Varela, w/m/20, 4/21/88 of 19342
Brandywine Riverview, Ml. Iss ord U42365408 for "Loiter in a place of illegal occupation" by PO S. Jackson.

Def. 85: Stephen Paul Webster, w/m/25, 3/3/83 of 4409 W. Isabella, Shepheard, Ml. Iss ord U42365508 for "Loiter in a place of illegal occupation" by PO K. Singleton.

Def. 86: Jason Anthony Leverette-Saunders, w/m, 6/11/83 of 16232 Normandy St. Detroit, Ml. Iss ord U41092808 for "Loiter in a place of illegal occupation" by PO T. Gray.

Def. 87: James William Czech, w/m/25, 4/16/83 of 20304 Hollywood, Harper Woods, MI. Iss ord U42365108 for "Loiter in a place of illegal occupation" by PO J. Kisselburg.

Def. 88: Daniel Brancheau, w/m/24, 1/30/84, of 9615 Blaxy St. Taylor, MI. Iss ord U42365308 for "Loiter in a place of illegal occupation" by PO K. Singleton.

Def. 89: Joshua Adams, w/m/27, 5/20/81 of 337 Ford Ave. Wyandott, Ml. Iss ord U42365208 for "Loiter in a place of illegal occupation" by PO D. Penn.

## Detroit Police Department Activity Log

Def. 90: Patrick Dewan, w/m/19, 8/4/88 of 8440 Yale, Oak Park, Ml. Iss ord U42342008 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 91: Doka Juncaj, w/m, 6/25/90, of 16972 Compania, Macomb Twp., Ml. Iss ord U42341908 for "Loiter in a place of illegal occupation" by PO K. Singleton.

Def. 92: Molly ann Blaklwski, w/f/17, 1/25/91 of 580 bolinger, Rochester Hills, Ml. Iss ord U42341708 for "Loiter in a place of illegal occupation" by PO D. Penn.

Def. 93: Ashley Josephine Carnaghi, w/f/23, 6/22/84 of 19374 Cumberland Way, Detroit, MI. Iss ord U42341608 for "Loiter in a place of illegal occupation" by PO J. Kisselbury.

Def. 94: Martha Wojtaszck, w/f/20, 8/23/87 of 1324 Keywest, Troy, Ml. Iss ord U42341408 for "Loiter in a place of illegal occupation" by PO S. Jackson.

Def. 95: Thomas Mahler, w/m, 9/2/87 of 741 w. Lewiston Ave., Ferndale, MI. Iss ord U42364008 for "Loiter in a place of illegal occupation" by PO B. Cole.

Def. 96: Ian Mobley, w/m, 11/6/87 of 18157 Mulberry St. Riverview, Ml. Iss ord U42367608 for "Loiter in a place of illegal occupation" by Sgt. A. Potts.

Def. 97: Jason wysocki, w/m, 8/24/87 of 21669 Overland Ct. Macomb-Twp., Ml. Iss ord U42363808 for "Loiter in a place of illegal occupation" by Sgt. G. McWhorter.

Def. 98: Stephen Michael Brown, b/m/22, 1/13/86 of 24240 Ithaca St. Oak Park, Ml. Iss ord U42361108 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 99: Michael Thomas Rozman, w/m, 10/30/71 of 1837 Beechmont St. Keego Harbor, Ml. Iss ord U42343908 for "Loiter in a place of illegal occupation" by Sgt. Daniel Buglo.

Def. 100: Thomas Anthony Cole, w/m/20, 2/22/88 of 20917 lvy Circle, Macomb Twp., Ml. Iss ord U42360808 for "Loiter in a place of illegal occupation" by Sgt. Turner.

Def. 101: Damien Ryan Mayo, b/m/24, 2/5/84 of 5644 Martell Dr. Troy, Ml. Iss ord U42360908 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 102: Bruce russell Nichols, Jr., w/m/22, 10/30/85 of 30 N. Edgewood Dr. Grosse Pointe, Ml. Iss ord U42360308 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 103: Scott Thomas Hughes, w/m/23, 10/23/84 of 21450 HCl Jackson, Grosse Ille., Ml. Iss ord U42360208 for "Loiter in a place of illegal occupation" by Sgt. C. Turner.

### Police Department Activity Log

Def. 104: Amada B. Sandrik, w/f/19, 12/25/88 of 12908 Grande Poplar Cr., Plainfield, IL. Iss ord U42340508 for "Loiter in a place of illegal occupation" by Sgt. C. Turner.

Def. 105: Joel Daniel Axner, w/m/26, 3/16/82 of 1808 Meadow Wood, Ypsilanti, Ml. Iss ord U42340608 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 106: Mark Julius Kiselivoas, w/m/24, 3/22/84 of 50 W. Bernhard Ave. Hazel Park, Ml. Iss ord U42360108 for "Loiter" in a place of illegal occupation" by PO S. Johnson

Def. 107: Stefanie Marie Bockenstellt, w/f/20, 8/7/87 of 23225 Lakewood St. Clinton Twp., Ml. Iss ord U42340108 for "Loiter" in a place of illegal occupation" by Sgt. C. Turner.

Def. 108: Angela Sexton, w/f, 7/24/87 of 1348 Fielding. Ferndale, Ml. Iss ord U42341508 for "Loiter in a place of illegal occupation" by PO G. Johnson.

Def. 109: Jennifer Ann Moore, w/f/19, 5/31/89 of 37201 Willow Ln, Clinton Twp., Ml. Iss ord U42341008 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 110: Derrick Walker, w/m, 9/18/85 of 321 E, 11 Mile Rd. 205, Royal Oak, Ml. Iss ord U42367408 for "Loiter in a place of illegal occupation" by PO M. Law.

Def. 111: Michael Steven Diclaudio, w/m, 9/14/87 of 8610 Ferry Rd. Grosse lie, Ml. Iss ord U42367808 for "Loiter in a place of illegal occupation" by PO M. Law.

Def. 112: Dalton Tosolt, w/m, 8/2/89 of 321 E, 11 Mile Rd. Royal Oak, Ml. Iss ord U42367908 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 113: Brett Adam Donlon, w/m, 10/18/88 of 1459 17th, Wyandotte, Ml. Iss ord U42368008 for "Loiter in a place of illegal occupation" by PO M. Newton.

Def. 114: Michael Thomas, w/m, 4/21/86 of 22047 Dand, Eastpointe, Ml. Iss ord U42367308 for "Loiter in a place of illegal occupation" by PO J. Cobb-Sanders.

Def. 115: Brittany Ann Vercak, w/f/18, 4/23/90, of 11358 Bryden, Taylor, Ml. Iss ord U42340908 for "Loiter in a place of illegal occupation" by PO J. Passmore,

Def. 116: Ryan Keith Savoie, w/m, 10/28/83 of 3052 Sunrise Dr. Crown Point, IN. Iss ord U42340808 for "Loiter in a place of illegal occupation" by Sqt. C. Turner.

Def. 117: Angie Wong, w/f/22, 2/2/86, of 20307 Sunnyside St. St. Clair Shores, Ml. Iss ord U42345908 for "Loiter in a place of illegal occupation" by Sgt. C. Turner.

## Police Department Activity Log

Def. 118: Chad Michael Medina, w/m/23, 9/28/84, of 23524 Pinewood, Taylor, Ml. Iss ord U42340708 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 119: Michael Anthony Mazzole, w/m, 5/24/87 of 143 S. Highland, Mt. Clemens, Ml. Iss ord U42363408 for "Loiter in a place of illegal occupation" by PO M. Laws.

Def. 120: Erik Scott-Pearson Johnson, w/m/18 of 158 Maplefield Rd. Pleasant Ridge, MI. Iss ord U41093408 for "Loiter in a place of illegal occupation" by PO K. Wheeler.

Def. 121: Michael Bennett Fellsman, w/m/20, 9/8/87 of 37635 Charter Oaks Blvd. Clinton Twp., Mi. Iss ord U42360608 for "Loiter in a place of illegal occupation" by Sgt. C. Turner.

Def. 122: Mark Jerome Kaiser, w/m, 1/18/61 of 31315 Carion Dr., Warren, Ml. Iss ord U42360508 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 123: Paul Matthew Kaiser, w/m/37, 6/22/70 of 676 Windsong Dr., Rochester Hills, Ml. Iss ord U42360408 for "Loiter in a place of illegal occupation" by PO S. Johnson.

Def. 124: Christopher Robert Figliouli, w/m/20, 5/21/88 of 21067 Woodland, Macomb Twp., Ml. Iss ord U42360708 for "Loiter in a place of illegal occupation" by PO J. Passmore.

Def. 125: Devon Dermott-Paul Mitchell, Jr., b/m/24, 3/3/84 of 5190 Bronco Dr. Clarkston, Ml. Iss ord U41093808 for "Loiter in a place of illegal occupation" by PO C. Coleman.

Def. 126: Robert John Robinette, w/m/25, 3/4/83 of 3/4/83 of 2535 Romence Rd. Portage, Ml. Iss ord U41093608 for "Loiter in a place of illegal occupation" by Sgt. J. Pritchett.

Def. 127: Robert Emmett McLeod III, w/m/25, 1/14/83, of 607 Farmdale, Rd., Ferndale, Ml. Iss ord U41093708 for "Loiter in a place of illegal occupation" by Sgt. J. Prichett.

Def. 128: Jake Andrew Gross, w/m/21, 10/26/86 of 8863 Carriage Hill Dr., Shelby Twp., Ml. Iss ord U41093508 for "Loiter in a place of illegal occupation" by PO K. Wheeler.

Def. 129: Christopher Andy Krsteski, w/m/27, of 38688 Byriver St. Clinton Twp., Ml. Iss ord U42343808 for "Loiter in a place of illegal occupation" by PO D. Carter.

Def. 130: Joel Alexander Bernier, w/m/29, 2/13/79 of 39063 Early Drive, Sterling Hgts., Ml. Iss ord U41093308 for "Loiter in a place of illegal occupation" by PO D. Holyfield.

Def. 131: Garrett Patrick Vernon, w/m/18, 6/28/69 of 12350 Lennry Ave. Shelby Twp., Ml. Iss ord U41093208 for "Loiter in a place of illegal occupation" by PO C. Coleman. 2:10-cv-10675-VAR-MKM Doc # 84-11 Filed 04/17/12 Pg 13 of 13 Pg ID 1957

Polic	e L	etro	DIT	POI		6	Department Activity Log
						-	Def. 132: Katy Lee Smotherman, w/f/21, 2/16/87 of 932 E. 11 Mile Rd., Royal Oak, Ml. Iss ord U41093108 for "Loiter in a place of illegal occupation" by PO D. Carter.  Def. 133: Lacey Anne Pomaville, w/f/18, 1/19/90 of 17089 White Plains Drive, Macomb Twp., Ml. Iss ord U42369008 for "Loiter in a place of illegal occupation" by Sgt. J. Pritchett.  Def. 134: Anthony Edward Pedalino, w/m, 1/29/85 of 932 Dewey, Ann Arbor, Ml. Iss ord U41092608 for "Loiter in a place of illegal occupation" by PO M. Brown.
545A							BASE 22 PROCESSING PRISONERS, PROPERTY AND PAPERWORK
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### EXHIBIT 11

### DEIRUZIO DE PARTIMENTE O4/17/12 Pg 2 of 8 Pg ID 1959 REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.1 Report Date: 5/31/2008

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### EXECUTION OF SEARCH WARRANT-5141 ROSA PARKS BLVD-VICE ENFORCEMENT Subject:

Case Report Status

1 - IN PROCESS

82 - WAYNE

99 - DETROIT

Date Entered Entered By Date Verified

5/31/2008 7:42:44 AM

231996 - BUGLO, DANIEL

Reporting Officer

231996 - BUGLO, DANIEL

Occurred On (and Between)

City/Township

County

5/31/2008 2:20:00 AM

Verified By Date Approved Approved By

Assisted Ru

Location

5141 ROSA PARKS BLVD. CSZ

Connecting Cases Disposition Tactical Actions

CITATION

Assist Agency

Census/Geo Code Grid Call Source

5150 C2 - 0102 OTHER

Clearance Reason Date of Clearance

Reporting Agency DETROIT POLICE DEPARTMENT Division VICE SECTION Notified

Vehicle Activity Vehicle Traveling Cross Street

Means

Other Means Motive Other Motives

Report Narrative

ON THE ABOVE DATE AND TIME, VICE ENFORCEMENT, NARCOTICS CODE 3025 AND 2913 AND TACTICAL MOBILE, DISTRICT EXECUTED A SEARCH WARRANT NUMBER 08001827 ON 5141 ROSA PARKS BLVD WITH THE FOLLOWING

DEF. 1: ENGAGER, DOORMAN: JOSEPH TIMLIN, W/M/24, 12/14/83 OF 1139 SAINT AUBIN, HAMTRAMCK, MI. ISS ORD U42346408 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY LT. V. YOST.

DEF. 2: ENGAGER, BARTENDER: JENNIFER ANNE SCHRAEDER, W/F/26, 5/5/82 OF 31666 NIXON, BEVERLY HILLS, MI. ISS ORD U42346308 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO.

DEF. 3: ENGAGER, DOORMAN: CHRISTOPHER KANE SHOEMAKER, W/M/29, 6/17/78 OF 472 KIMBERLY APT. 101 LAKE ORION, MI. ISS ORD U42346208 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY LT. YOST.

DEF. 4: ENGAGER, HOUSEMAN: BRANDON LOUIS WALLEY, W/M/32, 10/16/75 OF 27 E. WILLIS APT. 18, DETROIT, MI. ISS ORD U42346108 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO.

DEF. 5: KAYLA ARLETTE-WHITNEY BURTON, W/F/ 21, 4-15-87 OF 15805 W. 11 MILE APT 105, SOUTHFIELD, MI. ISS ORD U42368208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. COLEMEN.

DEF. 6: MEGAN MARIE LLAMAS, W/F/24, 7/31/83 OF 203 COLLEGE, FERNDALE, MI. ISS ORD U42368108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. CARTER.

DEF. 7: STEVEN BRIAN KEYCIA, W/M/20, 7/28/88 OF 51490 S. ADELLE, NEW BALTIMORD, MI. ISS ORD U42343008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. CARSON.

DEF. 8: CANDICE ELISABETH BRANDELIK, W/F/18, 12/13/89 OF 15650 ASPEN DRIVE, MACOMB TWP., MI. ISS ORD U42342808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER.

DEF. 9: MARY CATHERINE FRASER, W/F/20, 6/14/88 OF 23096 ROANOKE AVE. OAK PARK, MI. ISS ORD U42342708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. HOLYFIELD.

DEF. 10: NATALIE ELISE VIVIANO, W/F/21, 7/15/86 OF 47421 NORTH AVE., MACOMB TWP., MI. ISS ORD U42342308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. COLEMAN.

DEF. 11: CHELSEA MACLEDD SCHULTZ, W/F/19, 5/24/89 OF 14153 FOUR LAKES DRIVE, STERLING HEIGHTS, MI. ISS ORD U42342208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. CARTER.

DEF. 12: JESSICA MARIE CROWLEY, W/F/27, 5/31/82 OF 960 EMWILL ST., FERNDALE, MI. ISS ORD U42342108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. J. PRITCHETT.

DEF. 13: SUSAN MARY MOCLZELEWSKI, W/F/19, 10/1/88 OF 14321 TROY ST. TAYLOR, MI. ISS ORD U42345708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

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DEF. 14: OLIVIA MARIE PIZZO, W/F/18, 11/8/89 OF 810 TIMBERLINE DR. ROCHESTER HILLS, MI. ISS ORD U42345508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO T. GRAY.

DEF. 15: ASHLEY RENEE LISI, W/F/18, 3/13/90 OF 15345 GLENHURST, SOUTHGATE, MI. ISS ORD U42345308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

DEF. 16: MEGAN DANIELLE SMEDLEY, W/F/ OF 10600 MT. VERNON APT 2, TAYLOR, MI. ISS ORD U42345208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO. S. JOHNSON.

DEF. 17: BRITTANY ELIZABETH DALLAS, B/F/19, 3/2/89 OF 17704 TOEPFER, EASTPOINTE, MI. ISS ORD U42343708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

DEF. 18: DARLENE CELESTE HELLENBERG, W/F/25, 12/1/82 OF 203 COLLEGE ST. FERNDALE, MI. ISS ORD U42343508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 19: LINDSE MRIE UMLAUF, W/F/19, 9/18/80 OF 831 JEWELL ST. FERNDALE, MI. ISS ORD U42343608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 20: JENNIFER LYNN AGAR, W/F/24, 3/13/84 OF 21034 ONTACHA ST. FARMINGTON HILLS, MI. ISS ORD U42345108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO

DEF. 21: JESSICA LYNN MARTIN, W/F/22, 6/17/85 OF 13210 BLOOMFIELD AVE. WARREN, MI. ISS ORD U42345808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

DEF. 22: MADELINE BARICK, W/F/19, 3/29/89 OF 37612 ADRIAN, STERLING HGTS., MI. ISS ORD U42341308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 23: JESSICAL NICOLE DECKER, W/F/25, 6/10/82 OF 1975 BELMONT, HAMTRAMCK, MI. ISS ORD U42341208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. KISSELBURG.

DEF. 24: RYAN PAUL GATES, W/M/21, 9/11/86 OF 7033 N. BLAIR AVE. ROYAL OAK, MI. ISS ORD U42367508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 25: -JOY ALIGIA WELLS, B/F/20, 12/01/87 OF 29224 LANCASTER DR. #208, SOUTHFIELD, MI. ISS ORD U42343108 FOR "LOITER IN A PLACEOF ILLEGAL OCCUPATION" BY PO T. GRÂY.

DEF. 26: ERIN ELIZABETH ELLIS, W/F/22, 2/10/86 OF 4012 BAGLEY DETROIT, MI. ISS ORD U42341108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO PEACAL.

DEF. 27: MEGHAN HODGES, W/F/19, 12/9/88 OF 2706 KIPLING AVE. BERKLEY, MI. ISS ORD U42344808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

DEF. 28: PATRICIA ANN SAGY, W/F/23, 3/7/85 OF 1109 S. GENEVA DR. DEWITT, MI. ISS ORD U42344508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY POG. JOHNSON.

DEF. 29: ASHLEY KATHERINE MOORE, B/F/21, 4/29/87 OF 21640 VIRGINIA SOUTHFIELD, MI. ISS ORD U42342508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

DEF. 30: AMANDA LYNN MILKE, W/F/18, 10/23/89 OF 13316 TALBOX AVE. HUNTINGTON WOODS, MI. ISS ORD U42344608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. KISSELBURG.

DEF. 31: CHELSEA H. MACHER, W/F/18, 3/22/90 OF 43499 PETRUCCI, CLINTON TWP., MI. ISS ORD U42342408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. KISSELBURG.

DEF, 32: ELISE STRASZ W/F/19, 9/3/88 OF 5101 TRUMBULL, DETROIT, MI. ISS ORD U42343208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JACKSON.

DEF. 33: ANNA STOTLAND, W/F/19, 12/22/88 OF 6713 SCOTCH LAKE DR. W. BLOOMFIELD, MI. ISS ORD U42344308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JACKSON.

DEF. 34: LINDSAY ANNE STOVER, W/F/27, 5/1/81 OF 1415 PARKER, DETROIT, MI. ISS ORD U42344108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. HOPKINS.

DEF. 35: JACQUE SUTTON, W/M/21, 5/22/87 OF 170 MOROSS ST. MOUNT CLEMONS, MI. ISS ORD U42367708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. A. POTTS.

DEF. 36: SAMANTHA GOLD, W/F/18, 10/2/89 OF 46701 KOBEWATER, MACOMB, MI. ISS ORD U42343308 FOR "LOITER IN A

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PLACE OF ILLEGAL OCCUPATION" BY PO. K. SINGLETON.

DEF. 37: STEPHANIE HOLLANDER, W/F/20, 11/6/87 OF 7269 CREEKS BEARD CT. W. BLOOMFIELD, MI. ISS ORD U42344208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 38: GABRIELLE RENTZ, W/F/18, 11/18/89 OF 35165 KESLER CT. CLINTON TWP, MI. ISS ORD U42344708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 39: CORINNIE DENOMME, W/F/19, 4/3/89 OF 204 ROBERTSON, MT. CLEMONS, MI. ISS ORD U42343408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.

DEF. 40: ANTHONY JOSEPH PRATT, W/M/20, 12/12/87 OF 2679 BACON AVE. BERKLEY, MI. ISS ORD U42368908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAWS.

DEF. 41: AUSTIN JONES, W/M/20, 7/5/87 OF 6682 SWARTOUT RD. ALGONAC, MI. ISS ORD U42368808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. CARSON.

DEF, 42: ASHLEY RAE HOGAN, W/F/20, 8/24/87 OF 18865 CASS AVE. APT 102, CLINTON TWP., MI. ISS ORD U42368708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. J. PRITCHETT.

DEF. 43: CARLOS ANTONIO PADILLA, W/M/19, 9/19/88 OF 367 MCMILLAN RD. GROSSE PTE., MI. ISS ORD U42368508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. HOLYFIELD.

DEF. 44: CAMILE JAY POMAVILLE, W/F/18, 1/19.80 OF 17089 WHITE PLAINS DR., MACOMB, MI. ISS ORD U42368608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER.

DEF. 45: MARIAN LOUISE SCHMIDT, W/F/19, 1/31/89 OF 641 UNIVERSITY PLACE, GROSSE PTE., MI. ISS ORD U42368408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. COLEMAN.

DEF. 46: AUDRIANNA LIZETTE ALVARADO, B/F/18, 7/10/89 OF 17395 FENTON DETROIT, MI. ISS ORD U42368308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAWS.

DEF. 47: BRITTANY KIMBERLY JESTICE, W/F/22, 4/18/86 OF 505 FORT DEARBORN ST. DEARBORN, MI. ISS ORD U42340408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO T. GRAY.

DEF. 48: LEAH CHRISTIAN GARVONIC, W/F/20, 8/26/87 OF 39757 BERKLEY, CLINTON TWP., MI. ISS ORD U42344408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.

DEF. 49: KIMBERLY GEORGINS KHAMO, W/F/20, 1/31/88 OF 5255 MAIN ST. CLAWSON, MI. ISS ORD U42340308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 50: TABITHA TABY, W/F/21, 10/24/86, OF 2217 SALMON ST. MANCHESTER, NH. ISS ORD U42367208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. NEWTON.

DEF. 51: BRIAN EDWARD, W/M/19, 1/8/89 OF 17617 MARGATE AVE. LATHRUP VILLAGE, MI. ISS ORD U42367108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF, 52T JENNA MARIE RINKE, B/F/18, 4/21/89 OF 37875 HOBARTH RD. CHESTERFIELD TWP: ISS ORD U42345608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 53: SARAH CATHERINE MERCURY, W/F/25, 7/26/82 OF 2720 ROSA PARKS BLVD. DETROIT, MI. ISS ORD U42345408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO T. GRAY.

DEF. 54: LYNN MARIE LOSH, W/F/20, 12/10/87 OF 15754 LENORE, REDFORD, MJ. ISS ORD U42346008 FOR "LOITER IN A PLACE OF ILLEGAL OCCPUATION" BY PO S. JOHNSON.

DEF. 55: MICHELLD RUTH RUNDE, W/F/21, 5/24/87 OF 1551 W. DAVISON LAKE RD. OXFORD, MI. ISS ORD U42340208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. JENKINS.

DEF. 56: NICOLE PEDLEY, WIF/20, 5/24/88 OF 20914 HAYES, TAYLOR, MI. ISS ORD U42344908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.

DEF. 57: JOSHUA WILSON, W/M, 5/9/83 OF 2242 15TH ST. WYANDOTTE, MI. ISS ORD U410092508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO B. COLE.

DEF. 58: ROBERT ANTHONY MOGLIA, W/M, 10/30/77 OF 1924 AXTELL DR. APT 4 TROY, MI. ISS ORD U41092408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. G. MCWHORTER.

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DEF. 59: NEIL MATOUKA, W/M, 6/3/88 OF 24040 REPUBLIC, OAK PARK, MI. ISS ORD U41092308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 60: MICHAEL PETER WHITE, WIM, 6/16/83 OF 9706 N. 17TH, PLAINWELL, MI. ISS ORD U41092208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO B. COLE.

DEF. 61: ALEXANDER OWEN ELSO, W/M/, 9/21/87 OF 184 BEOLAND, MT. CLEMENS, MI. ISS ORD U42363908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. BROWN.

DEF. 62: JAMES WILLIAM WASHINGTON, B/M/, 11/2/80 OF 13887 MACKAY, DETROIT, MI. ISS ORD U42363708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. BROWN.

DEF. 63: JORDAN GREGORY CALAMIA W/M, 8/18/88 OF 40377 MOUNT VERNON DR. STERLING HEIGHTS, MI. ISS ORD U42366008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

DEF. 64: CAMILO ACOSTA, W/M/18, 7/27/89, OF 14884 ATWATER DR. STERLING HGTS., MI. ISS ORD U42361608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 65: ROBERT ANDREW ST. W/M/21, 15721 CAMDEN DR. MACOMB, MI. ISS ORD U42361508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO.

DEF. 66: BURI AHMED KHAN, W/M, 5/13/84 OF 1913 E. LINCOLN AVE. ROYAL OAK, MI. ISS ORD U42361008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 67: CAITLIN DWNE BRUCE-CAMPO, W/F, 2/18/89, OF 39500 CHART ST. HARRISON TWP., MI. ISS ORD U42361408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 68: PETER RICHARD GIBBS, W/M/21, 4/21/87 OF 549 TROYWOOD DR. TROY, MI. ISS ORD U41093908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. HOLYFIELD.

DEF. 69: BRIAN JAMES ROZMAN, WIM/35, 11/27/72 OF 1837 BEECHMONT, DEEGO HARBOR, MI. ISS ORD U42361308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 70: MICHAEL WAYNE MALOSEVICH, W/M, 6/18/86 OF 436 W. DRAYTON, FERNDALE, MI. ISS ORD U41092108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO B. COLE.

DEF. 71: MATTHEW STEVEN SMYTH, W/M/22, 12/12/85 OF 15438 LEONA DR. REDFORD, MI. ISS ORD U42361208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

DEF. 72: ANTHONY ALAN CARUSO, W/M/24, 4/24/84, OF 825 SE BIDWELL, PORTLAND, OR. ISS ORD U42365908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 73: JAMES WILLIAM WASHINGTON, B/M, 11/2/80 OF 13887 MACKAY, DETROIT, MI. ISS ORD U42363708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. MCWHORTER.

DEF. 74: PATRICK DAVIS W/M, 2/11/86 OF 5256 JAIME LN. FLUSHING, MI. ISS ORD U42363508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 75: NICHOLES JOHN ERNST, W/M, 9/25/81 OF 1765 GARDENIA APT 215, ROYAL OAK, MI. ISS ORD U42363608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAWS.

DEF. 76: NATHANIEL PRICE, W/M, 9/6/87 OF 604 W. LEWISTON AVE. FERNDALE, MI. ISS ORD U42363208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. A. POTTS.

DEF. 77: DOUGLAS ADDISON HODGES, W/M, 10/28/85 OF 8166 TURNTABLE, GROSSE ILLE, MI. ISS ORD U42363108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. NEWTON.

DEF. 78: AARON BONDROFF, W/M, 12/2/82, OF 14361 WESTPOINT ST. TAYLOR, MI. ISS ORD U42363308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 79: GEORGE STRICKLAND, W/M/20, 11/02/87 OF 8545 GLENGARRY RD. GROSSE ILLE, MI. ISS ORD U42365808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.

DEF. 80: JOSEPH PISTONO JR. W/M/22, 2/27/86 OF 41874 POND VIEW DR. STERLING HEIGHTS, MI. ISS ORD U42365708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. KISSELBURG.

#### 2:10-cv-10675-VAR-MKM Doc # 84-12 Filed 04/17/12 Pg 6 of 8 Pg ID 1963

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DEF. 81: JACOB TIMLIN, W/M, 9/18/72 OF 27111 PARK CT. MADISON HGTS., MI. ISS ORD U41094108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 82: ADAM CORNELIUS, W/M/25, 10/24/82, OF 3720 WINCHELL AVE. APT. P305, KALAMAZOO, MI. ISS ORD U42365608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

DEF. 83: JAMES GROSS, W/M, 2/23/87, OF 47729 FALCON DR. SHELBY TWP., MI. ISS ORD U41092708 FOR "LOITER IN A PLACE OF ILLEGAL OCCPUPATION" BY PO J. COBB-SANDERS.

DEF. 84: ZACHARY VARELA, W/M/20, 4/21/88 OF 19342 BRANDYWINE RIVERVIEW, MI. ISS ORD U42365408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JACKSON.

DEF. 85: STEPHEN PAUL WEBSTER, W/M/25, 3/3/83 OF 4409 W. ISABELLA, SHEPHEARD, MI. ISS ORD U42365508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 86: JASON ANTHONY LEVERETTE-SAUNDERS, W/M, 6/11/83 OF 16232 NORMANDY ST. DETROIT, MI. ISS ORD U41092808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO T. GRAY.

DEF. 87: JAMES WILLIAM CZECH, W/M/25, 4/16/83 OF 20304 HOLLYWOOD, HARPER WOODS, MI. ISS ORD U42365108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. KISSELBURG.

DEF. 88: DANIEL BRANCHEAU, W/M/24, 1/30/84, OF 9615 BLAXY ST. TAYLOR, MI. ISS ORD U42365308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 89: JOSHUA ADAMS, W/M/27, 5/20/81 OF 337 FORD AVE. WYANDOTT, MI. ISS ORD U42365208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.

DEF. 90: PATRICK DEWAN, W/M/19, 8/4/88 OF 8440 YALE, OAK PARK, MI. ISS ORD U42342008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

DEF. 91: DOKA JUNCAJ, W/M, 6/25/90, OF 16972 COMPANIA, MACOMB TWP., MI. ISS ORD U42341908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

DEF. 92: MOLLY ANN BLAKLWSKI, W/F/17, 1/25/91 OF 580 BOLINGER, ROCHESTER HILLS, MI. 1SS ORD U42341708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.

DEF. 93: ASHLEY JOSEPHINE CARNAGHI, W/F/23, 6/22/84 OF 19374 CUMBERLAND WAY, DETROIT, MI. ISS ORD U42341608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. KISSELBURY.

DEF. 94: MARTHA WOJTASZCK, W/F/20, 8/23/87 OF 1324 KEYWEST, TROY, MI. ISS ORD U42341408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JACKSON.

DEF. 95: THOMAS MAHLER, W/M, 9/2/87 OF 741 W. LEWISTON AVE., FERNDALE, MI. ISS ORD U42364008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO B. COLE.

DEF. 96: IAN MOBLEY, W/M, 11/6/87 OF 18157 MULBERRY ST. RIVERVIEW, MI. ISS ORD U42367608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. A. POTTS.

DEF. 97: JASON WYSOCKI, W/M, 8/24/87 OF 21669 OVERLAND CT. MACOMB TWP., MI. ISS ORD U42363808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. G. MCWHORTER.

DEF. 98: STEPHEN MICHAEL BROWN, B/M/22, 1/13/86 OF 24240 ITHACA ST. OAK PARK, MI. ISS ORD U42361108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 99: MICHAEL THOMAS ROZMAN, W/M, 10/30/71 OF 1837 BEECHMONT ST. KEEGO HARBOR, MI. ISS ORD U42343908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO.

DEF. 100: THOMAS ANTHONY COLE, W/M/20, 2/22/88 OF 20917 IVY CIRCLE, MACOMB TWP., MI. ISS ORD U42360808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. TURNER.

DEF. 101: DAMIEN RYAN MAYO, B/M/24, 2/5/84 OF 5644 MARTELL DR. TROY, MI. ISS ORD U42360908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 102: BRUCE RUSSELL NICHOLS, JR., W/M/22, 10/30/85 OF 30 N. EDGEWOOD DR. GROSSE POINTE, MI. ISS ORD U42360308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 103: SCOTT THOMAS HUGHES, W/M/23, 10/23/84 OF 21450 HCI JACKSON, GROSSE ILLE., MI. ISS ORD U42360208

#### DETROIT POLICE DEPARTMENT CRIME REPORT

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FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 104: AMADA B. SANDRIK, W/F/19, 12/25/88 OF 12908 GRANDE POPLAR CR., PLAINFIELD, IL. ISS ORD U42340508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 105: JOEL DANIEL AXNER, W/M/26, 3/16/82 OF 1808 MEADOW WOOD, YPSILANTI, MI. ISS ORD U42340608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 106: MARK JULIUS KISELIVOAS, W/M/24, 3/22/84 OF 50 W. BERNHARD AVE. HAZEL PARK, MI. ISS ORD U42360108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON

DEF. 107: STEFANIE MARIE BOCKENSTELLT, W/F/20, 8/7/87 OF 23225 LAKEWOOD ST. CLINTON TWP., MI. ISS ORD U42340108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 108: ANGELA SEXTON, W/F, 7/24/87 OF 1348 FIELDING, FERNDALE, MI. ISS ORD U42341508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

DEF. 109: JENNIFER ANN MOORE, W/F/19, 5/31/89 OF 37201 WILLOW LN, CLINTON TWP., MI. ISS ORD U42341008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 110: DERRICK WALKER, W/M, 9/18/85 OF 321 E. 11 MILE RD. 205, ROYAL OAK, MI. ISS ORD U42367408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAW.

DEF. 111: MICHAEL STEVEN DICLAUDIO, W/M, 9/14/87 OF 8610 FERRY RD. GROSSE ILE, MI. ISS ORD U42367808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAW.

DEF. 112: DALTON TOSOLT, W/M, 8/2/89 OF 321 E. 11 MILE RD. ROYAL OAK, MI. ISS ORD U42367908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 113: BRETT ADAM DONLON, W/M, 10/18/88 OF 1459 17TH, WYANDOTTE, MI. ISS ORD U42368008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. NEWTON.

DEF. 114: MICHAEL THOMAS, W/M, 4/21/86 OF 22047 DAND, EASTPOINTE, MI. ISS ORD U42367308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

DEF. 115: BRITTANY ANN VERCAK, W/F/18, 4/23/90, OF 11358 BRYDEN, TAYLOR, MI. ISS ORD U42340908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

DEF. 116: RYAN KEITH SAVOIE, W/M, 10/28/83 OF 3052 SUNRISE DR. CROWN POINT, IN. ISS ORD U42340808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 117: ANGIE WONG, W/F/22, 2/2/86, OF 20307 SUNNYSIDE ST. ST. CLAIR SHORES, MI. ISS ORD U42345908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 118: CHAD MICHAEL MEDINA, W/M/23, 9/28/84, OF 23524 PINEWOOD, TAYLOR, MI. ISS ORD U42349708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 119: MICHAEL ANTHONY MAZZOLE, W/M, 5/24/87 OF 143 S. HIGHLAND, MT. CLEMENS, MI. ISS ORD U42363408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAWS.

DEF. 120: ERIK SCOTT-PEARSON JOHNSON, W/M/18 OF 158 MAPLEFIELD RD. PLEASANT RIDGE, MI. ISS ORD U41093408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER.

DEF. 121: MICHAEL BENNETT FELLSMAN, W/M/20, 9/8/87 OF 37635 CHARTER OAKS BLVD. CLINTON TWP., MI. ISS ORD U42360608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

DEF. 122: MARK JEROME KAISER, W/M, 1/18/61 OF 31315 CARION DR., WARREN, MI. ISS ORD U42360508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 123: PAUL MATTHEW KAISER, W/M/37, 6/22/70 OF 676 WINDSONG DR., ROCHESTER HILLS, MI. ISS ORD U42360408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

DEF. 124: CHRISTOPHER ROBERT FIGLIOULI, W/M/20, 5/21/88 OF 21067 WOODLAND, MACOMB TWP., MI. ISS ORD U42360708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

DEF. 125: DEVON DERMOTT-PAUL MITCHELL, JR., B/M/24, 3/3/84 OF 5190 BRONCO DR. CLARKSTON, MI. ISS ORD U41093808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. COLEMAN.

### DETROIT POLICE DEPARTMENT CRIME 04/17/12 Pg 8 of 8 Pg ID 1965

REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.1 Report Date: 5/31/2008

DEF. 126: ROBERT JOHN ROBINETTE, W/M/25, 3/4/83 OF 3/4/83 OF 2535 ROMENCE RD. PORTAGE, MI. ISS ORD U41093608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. J. PRITCHETT.

DEF. 127: ROBERT EMMETT MCLEOD III, W/M/25, 1/14/83, OF 607 FARMDALE, RD., FERNDALE, MI. ISS ORD U4/1093708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. J. PRICHETT.

DEF. 128: JAKE ANDREW GROSS, W/M/21, 10/26/86 OF 8863 CARRIAGE HILL DR., SHELBY TWP., MI. ISS ORD U41093508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER.

DEF. 129: CHRISTOPHER ANDY KRSTESKI, W/M/27, OF 38688 BYRIVER ST. CLINTON TWP., MI. ISS ORD U42343808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO.D. CARTER.

DEF. 130: JOEL ALEXANDER BERNIER, W/M/29, 2/13/79 OF 39063 EARLY DRIVE, STERLING HGTS., MI. ISS ORD U41093308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. HOLYFIELD.

DEF. 131: GARRETT PATRICK VERNON, W/M/18, 6/28/69 OF 12350 LENNRY AVE, SHELBY TWP., MI. ISS ORD U41093208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. COLEMAN.

DEF. 132: KATY LEE SMOTHERMAN, W/F/21, 2/16/87 OF 932 E. 11 MILE RD., ROYAL OAK, MI. ISS ORD U41093108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. CARTER.

DEF. 133: LACEY ANNE POMAVILLE, W/F/18, 1/19/90 OF 17089 WHITE PLAINS DRIVE, MACOMB TWP., MI. ISS ORD U42369008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. J. PRITCHETT.

DEF, 134: ANTHONY EDWARD PEDALINO, W/M, 1/29/85 OF 932 DEWEY, ANN ARBOR, MI, ISS ORD U41092608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. BROWN.

LT. VICKI YOST, BADGE L-112 AND SERGEANT DANIEL BUGLO, BADGE S-444, BOTH ASSIGNED TO VICE ENFORCEMENT, ENTERED THE LOCATION IN AN UNDERCOVER CAPACITY TO CONFIRM ILLEGAL ACTIVITY. WRITER AND PARTNER WERE CHARGED A \$5.00 COVER CHARGE AND A \$3.00 MEMBERSHIP FEE. WRITER OBSERVED SEVERAL PATRONS WITH ALCOHOL. WRITER AND PARTNER PURCHASED BEER FROM THE BAR AT \$4.00 A CUP. AT APPROX. 2:10AM. PATRONS WERE STILL BEING ALLOWED INTO THE LOCATION AND THE BAR WAS STILL OPEN. LT. YOST NOTIFIED THE RAID CREW AND SAME EXECUTED THE ANTICIPATORY SEARCH WARRANT. WRITER WAS THE AFFIANT ON THE SEARCH WARRANT.

NOTE: A PINK PURSE BELONGING TO CAITLIN D. BRUCE-CAMPO, W/F OF 39500 CHART ST., HARRISON TWP. PHONE 586-792-7416, CONTAINING NO VALUABLES, WAS RELEASED TO JACOB TIMLIN, PH, 586-931-5042 PER HER (CAITLIN.) LT. YOST SPOKE TO MS. BRUCE-CAMPO.

#### Offense Detail: 5393 - DISORDERLY CONDUCT (OTHER)

Offense Description IBR Code 5393 - DISORDERLY CONDUCT (OTHER)

90C - DISORDERLY CONDUCT

Location Hate/Bias 05 - COMMERCIAL/OFFICE BUILDING

IBR Group R Crime Against SO

NO 00 - NONE (NO BIAS) No. Prem, Enlered Entry Method

Offense File Class - PAGG Local Code

53001 - DISORDERLY CONDUCT

Domestic Violence

Offense Completed?

NO

Type Security Tools Used

Using Criminal Activity

Weapons

NetRMS MICR of v2f

# EXHIBIT 12

ŗ			1		٦	
		Page 1	*****	Page 3	3277777	
		UNITED STATES DISTRICT COURT	1	INDEX	34554456	
1		EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION	2	· · · · · · · · · · · · · · · · · ·		
1		IAN MOBLEY, KIMBERLY MOBLEY,	3	WITNESSES: PAGE	1337444	
		PAUL KAISER, ANGIE WONG, JAMES	4	STEPHANIE HOLLANDER	(989)	
Ì		WASHINGTON, NATHANIEL PRICE, JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERLETTE-SAUNDERS, WANDA LEVERETTE, DARLENB HELLENBERG,		Examination by Mr. Ashford 5	7,352.536	
				Danimunon by Mir. Lighterd	200	
					TIME I	
- 1		THOMAS MAHLER and LAURA MAHLER,	7		2000	
		Plaintiffs, Civil Action -vs- No. 10-10675	8		THE REAL PROPERTY.	
ı		CITY OF DETROIT, VICKI YOST,	9	EXHIBIT: DESCRIPTION MARKED		
		and DANIEL BUGLO,	10	(None marked.)	0000	
		Defendants.	11		2000	
		1	12		3000	
- 1		The Deposition of STEPHANIE RENEE HOLLANDER, taken	13		200000	
		before me, Darlene K. May, CSR-6479, a Notary Public, within	14		40000	
	/	and for the County of Oakland, (Acting in Wayne), State of Michigan, at 1394 E. Jefferson, Detroit, Michigan, on Monday	15		mma	
		November 22, 2010.	16		200000	
			17		THE REAL PROPERTY.	
		APPEARANCES: GOODMAN & HURWITZ, P.C.	18		Tage Car	
		BY: KATHRYN BRUNER JAMES, ESQ.	1		Dillin.	
		1394 W. Jefferson Avenue	19		CHARL	
l		Detroit, Michigan 482707	20		E S	
		(313) 567-6170 Appearing on behalf of Plaintiff,	21			
		• • • • • • • • • • • • • • • • • • •	22		100	
			23		3338	
	,	RELIANCE COURT REPORTING	24		1441144	
İ		(313) 964-3611	25		1600	
	atoa seesea x accessarve				41111111	
		Page 2		Page 4	3536181	
,	. 1	APPEARANCES (Continued):	1	Detroit, Michigan	Tritter.	
- 1	2	CITY OF DETROIT - LAW DEPARTMENT	2	Monday, November 22, 2010	18122	
	3	BY: JERRY L. ASHFORD, ESQ. 660 Woodward Avenue	3	2:15 p.m.	24000	
	,	1650 First National Building	4		213423	
	4	Detroit, Michigan 48226	5	STEPHANIE RENEE HOLLANDER	100	
	p.	(313) 237-3089	6	was thereupon called as a witness herein, and after	-	
	5	Annearing on habelf of Defendent	7	having been first duly sworn to tell the truth, the	3315135	
	6	Appearing on behalf of Defendant,	1	·	14231613	
	_	AMERICAN CIVIL LIBERTIES UNION OF MICHIGAN	8	whole truth and nothing but the truth, was examined and	38688	
	7	BY: DANIEL S. KOROBKIN, ESQ.	9	testified as follows:	29.12.29.12	
	8	2966 Woodward Avenue Detroit Michigan 48201	10	<b></b>	Name of	
	Q	Detroit, Michigan 48201 (313) 578-6824	11	MR. ASHFORD: Let the record reflect	NAMES.	
	9	(2-2) 2 10 00=1	12	that this is the deposition of Stephanie Hollander taken	200	
		Appearing on behalf of ACLU of Michigan.	13	pursuant to the Federal Rules of Civil Procedure with		
	10		14	Notice to all parties. To be used for any and all	THE STATE OF	
	11 12		15	purposes allowed under the Rules of Civil Procedure.		
	13		16	Good afternoon, Ms. Hollander.		
	14		17	THE WITNESS: Good afternoon.		
	15		18	MR. ASHFORD: My name is Jerry Ashford		
	16		19		100	
	17 18		3	and I represent the City of Detroit and the police	1131818	
	19		20	officers in this case. Have you ever given any type of		
	20		21	testimony in court?	255.65	
	21		22	THE WITNESS: No.	1000	
۷.,	22 23	•	23	MR. ASHFORD: But you've seen, like,		
.	23		24	court proceedings on television. We have a court		
	25		25	reporter that is to my left and to your right and she's	1000	
	i		1		100	

	Page 5			Page 7
1	taking down everything you say. So I need To you give me	1	A.	For a job.
1 2	verbal answers to my questions.	2	Q.	What's your current job?
j 3	THE WITNESS: Okay.	3.	À.	
4	MR. ASHFORD: Okay. Try not to give me	4	Q.	
5	like head nodding or um-hmm or un-unh. Those kinds of	5	-	Loyola University, Maryland.
6	things. Okay.	6		And what are your job duties?
7	THE WITNESS: Okay.	7		I take care of the athletes. I do their sports medicine
8	MR. ASHFORD: If I ask you a question	8		care.
9	and you don't understand, please let me know that and	9	Q.	
10	I'll try to rephrase the question so hopefully you do	10	A.	
11	understand.	11	Q.	-
12	THE WITNESS: Okay.	12	A.	
13	THE WITNESS. Okay.	13	Q.	•
14	EXAMINATION	14	Q. Α.	2005.
15	BY MR. ASHFORD:	15		
16		16	Q.	-
1	Q. Will you please state your full name for the record.	17	Α.	Yes.
17	A. Stephanie Renee Hollander.		Q.	
18	Q. What is your middle name?	18	Α.	ē
19	A. Renee.	19	Q.	And do you have a bachelor's degree?
20	Q. And how old are you?	20	Α.	
21	A. 23.	21	Q.	
22	Q. What's your date of birth?	22		Bachelor of science, 2009, in athletic training.
23	A. November 6th, 1987.	23	Q.	* * *
24	Q. And what is your Social Security number?	24	Α.	I worked at the Southfield Sports Arena as a life guard.
25	A. 367-04-9118.	25	Q.	How long did you work there?
	Page 6			Page 8
1	Q. Do you have a Michigan operator's license?	1	A.	Every summer for eight years.
2	A. Yes.	2	Q.	You graduated in May of 2009?
3	Q. Do you have it with you today?	3	Ä.	December.
4	A. Um-hmm. Yes.	4	Q.	December 2009?
5_	-Q. May-I-see it, please?	5	_Ā.	Yes.
6	MR. ASHFORD: Let the record reflect	-6	Q.	Did you work from December to May, December 2009 to May
7	that Ms. Hollander has handed me a Michigan operator	7		2010?
8	license, H 453 777 734 853 in the name of Stephanie Renee	8		No. I started working the sports arena June or end of
9	Hollander, 7269 Creeks Bend Court, West Bloomfield,	9		May. So I just
10	Michigan 48322 hyphen 3528. Her operator's license	10		Did you work in the interim period between graduating
11	expires November 26th, 2012. Date of birth of November	11		from college and your summer job?
12	6th, 19897.	12	Α.	
13	MR. ASHFORD: Off the record.	13	·Q,	And you landed in your field?
14	(Discussion off the record.)	14	A.	Yes.
15	MR. ASHFORD: Back on the record.	15	Q.	Congratulations.
16	BY MR. ASHFORD (Continued):	16		Thank you.
17	· · · · · · · · · · · · · · · · · · ·	17	Α,	Let me ask you one other question. You have a bachelor's
1	Q. Do you still live at the same address that's listed on	18	Q.	
18	your operator's license?			degree in athletic training?
19	A. I'm temporarily living in Baltimore.	19 20	Α.	Yes.
20	Q. When are you moving to Baltimore?	20	Q.	Do you have any other degrees?
21	A. I already moved. I moved July 31st of this year.	21	Α.	No.
22	Q. What is your address in Baltimore?	22	Q.	Any other certifications?
23	A. 5221 Downing road. That's in Baltimore, Maryland. It's	23	Α.	Aside from First Aid, CPR.
24	21212.	24	Q,	Is that from the Red Cross?
25	Q. And why did you move?	25	A.	Yes.

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1	Q. Don't be offended. I ask everybody these questions, but	1	A. No.
1 2	have you ever been arrested before?	2	MS. JAMES: Objection as to foundation.
3	MS. JAMES: Objection as to relevance.	3	Sorry to interrupt.
4	But go ahead.	4	BY MR. ASHFORD (Continued):
5	A. No.	5	Q. During the previous occasions that you were at the
6	BY MR. ASHFORD (Continued):	6	Contemporary Art Institute of Detroit, were you given a
7	Q. So you've never been convicted of any type of crime?	7	wrist band?
8	A. No.	8	A. No.
9	Q. Have you ever been treated for substance abuse?	9	Q. Do you know why?
10	MS. JAMES: Objection as to relevance.	10	A. I was under 21.
11	A. No.	11	Q. If you were under 21, you were not given a wristband?
12	BY MR, ASHFORD (Continued):	12	A. No.
13	Q. Have you ever been treated for any type of psychiatric	13	Q. And if you are 21 or older, you were given a wristband?
14	condition?	14	A. Yes.
15	MS. JAMES: Objection as to relevance,	15	Q. How do you know?
16	A. No.	16	A. I saw people getting wristbands.
17	BY MR. ASHFORD (Continued):	17	Q. How did you know they were over 21, the people who wer
18	Q. Have you ever been a member of the Contemporary Art	18	getting wristbands?
19	Institute of Detroit?	19	A. They had their IDs looked at.
20	A. Yes.	20	Q. So when you were entering the Contemporary Art Institute
21	Q. When did you first become a member of the Contemporary	21	of Detroit or the CAID, you saw people at the door who
22	Art Institute of Detroit?	22 23	were volunteering or workers at the CAID, checking identification?
23	A. It was around March of 2008.	23 24	A. Correct.
24 25	<ul><li>Q. And what was the process to become a member?</li><li>A. Fill out a form and pay a fee.</li></ul>	25	Q. Did they ever check your identification?
~~~~~~	anni anni anni anni anni anni anni anni		
	Page 10		Page 12
, 1	Q. How much did you pay?	1	A. Yes.
2	A. I believe I bought a week for five dollars.	2	Q. During the two previous occasions that you were at the
3	Q. What kind of benefits did you get for becoming a	3	CAID did you ever see a dance license posted or dance
4	member?	4	permit posted by the City of Detroit?
5	A. Just-being-able to enter-their events.	5_	MS. JAMES: Objection as to foundation.
6	Q. Where did you did you purchase the membership at an	6	A. No.
7	event?	7	BY MR. ASHFORD (Continued):
8	A. Yes,	8	Q. Did you ever see a State of Michigan liquor license
9	Q. What event did you purchase it at?	9	posted?
10	A. Funk night.	10	MS. JAMES: Objection as to foundation.
11	Q. Can you tell me strike that.	11	A. No.
12	Can you describe funk night for me?	12	BY MR. ASHFORD (Continued):
13 14	A. They just played funk music and a lot of dancing. It's	13 14	Q. Did you look for a City of Detroit dance permit or a
15	pretty much all that went on.  O You were at the Contemporary Art Institute of Detroit on	14 15	State of Michigan business permit? Business license, I'm
16	Q. You were at the Contemporary Art Institute of Detroit on May 31st, 2008?	15 16	sorry?
17	May 5181, 2006? A. Yes.	17	<ul><li>A. No.</li><li>Q. Let me ask that question again. On the two previous</li></ul>
18	Q. Was that also a funk night?	18	Q. Let me ask that question again. On the two previous occasions that you were at the Contemporary Art Institut
19	A. Yes.	19	of Detroit, did you ever look for a City of Detroit dance
20	Q. From March of 2008 until May 30th of 2008, how many funk		permit or State of Michigan liquor license?
21	nights had you attended?	21	A. No.
22	A. Two,	22	Q. The first time you were at the CAID, how long were yo
23	Q. During the two previous times that you had been at funk	23	there, approximately?
24	night, had you observed any type of drug use inside the	24	A. Approximately, two to three hours.
25	Contemporary Art Institute of Detroit?	25	Q. How about the second time?

		Page 13		Page 15
1	A.	I would say about the same.	1	Q. Before entering the Contemporary Art Institute of
1 2	Q.	Do you remember who you were with the first time?	2	Detroit, had you drank any alcoholic beverages?
j 3	A.	It's been a while. I don't remember.	3	MS. JAMES: Objection. Since this
4	Q.	Do you remember who you were with the second time?		witness was under 21 at the time, I'm advising her to
5	A.	Yes.	5	assert her Fifth Amendment right with a limited exception
6	Q.	Who were you with the second time?	6	of while she was at the CAID on May 31st, 2008.
7	-	I remember two of the people, but there may have been		MR. ASHFORD: I won't tell anybody.
8	A.	more. One was Caroline Reinsch. The second one was	8	MS. JAMES: Well, that's generous of
9		James Abbott.	9	
E	0		10	you.
1.0		How do you spell Caroline last name?	11	But again, because you were under 21 at
11	A.	R-e-i-n-s-c-h. I believe it's James Abbott the Third,		that time, I would advise you not to answer the question
12		actually.	12	that's on the table. However, if and when Mr. Ashford
13	Q.		13	asks you any questions about consuming alcohol while yo
14	Α.	No. They're both younger.	14	were inside the CAID on May 31st, 2008, then I would
15	Q.	Were they with you on May 31st of 2008?	15	advise you to waive your Fifth Amendment right for that
16	Α.	No.	16	limited time period.
17	Q.	Who was with you on May 31st of 2008?	17	A. I won't answer that question.
18	Α.	Tabitha Taby.	18	BY MR. ASHFORD (Continued):
19	Q.	Can you spell that for me?	19	Q. Okay. So on the advice of your counsel, you don't want
20	A,	Tabitha, T-a-b-i-t-h-a. Taby T-a-b-y is her last name.	20	to answer that question, correct?
21		Brian Edwards.	21	A. Correct.
22	Q.	Okay.	22	Q. Prior to entering the CAID on May 31st of 2008, had you
23	A.	Ashley Moore. Yeah, that's it.	23	ever visited the website for the CAID?
24	Q.	Were you guys all in the car together?	24	A. No.
25	Α.	I don't remember if Ashley came with us or not, but	25	Q. Why not?
- A A A A A A A A A A A A A A A A A A A	N AND BY JOSEPH	Page 14		Page 16
. 1		Tabitha and Brian definitely were.	1	A. Just hadn't.
2	Q.	Who was the driver in the vehicle?	2	Q. How did you find out about the party?
3	À.	Tabitha,	3	A. My friend James.
4	Q.	Where were you seated in the vehicle?	4	Q. Since March of 2008, have you been on Facebook?
5	_A.	Backseat.	55	A. I'm-sorry?
6	Q.	And where was Brian?	6	Q. Do you have a Facebook?
7	-	I believe, he was in the passenger.	7	A. Yes.
8	Q.		8	Q. Have you ever written anything on your Facebook about the
9	-	Edwards?	9	CAID?
10	A,	Just friends.	10	A. No.
11	Q.	What was the relationship with Tabitha?	11	Q. Or the event of May 31st, 2008?
12	A.	Friends,	12	Ä. No.
13	Q,	How long had you known Tabitha?	13	Q. So what happened when you arrived at the CAID on May 31
14	Q, A,	Since either 9th or 10th grade.	14	2008?
15		=	15	
1	Q.	And how long had you known Brian?	16	A. I went to the door. Had our IDs checked. I got a stamp on my hand. The ones that were 21 got wristbands.
16	Α.	Since 10th grade.	17	
17	Q,	Do you know what the relationship was between Tabitha and		Q. So you had your hand stamped?
18		Brian?	18	A. Yeah. I had my hand stamped.
19		Friends.	19	Q. Which hand?
20	Q.	Where were you guys coming from?	20	A. Right,
21	Α.	Home.	21	Q. And what kind of stamp was it? What did the stamp say?
22	Q.	Whose home?	22	A. It was blurry when they put it on so I don't know what it
23	Λ.	Each of our homes, separately.	23	said. It smudged.
24	Q.	So the three of you had not been out before then?	24	Q. Then what happened?
25	Α.	No.	25	A. There was like a desk, table, right when you walk in and

		Page 17			Page 19
1		you have to either buy a membership or renew it or if	1		Eight and a half by eleven.
2		you're already a member just pay. So I had only had	2	Q.	So after you paid your fee, your hand was stamped, you
3		temporary memberships before so I just got another	3		filled out the membership renewal and you walked in.
4		temporary membership.	4		Where did you go?
5	Q.	So did you fill out a form?	5	A.	I stood in the area, the front area between the bathroom
6	A.	· · · · · · · · · · · · · · · · · · ·	6		and the bar.
7	Q.	Did you have to pay?	7	Q.	There was a bar?
8	A.	Yes.	8	A.	Yes.
9	. Q.	How much did you have to pay?	9	Q.	This in, like, the front room?
10	A.	Five dollars.	10	A.	Yes.
11	Q.	And then what happened?	11	Q.	And there's a back room where the DJ is?
12	A.	Just went inside and waited for my friends to get done	12	A.	Yes.
13		with that process.	13	Q.	Is there any other rooms?
14	Q.	Do you know if the guests of the CAID had to or if the	14	A.	There's an upstairs. And there's a bathroom.
15		members could bring in their own alcohol that night?	15	Q.	So on the bottom floor, there's a bathroom?
16	A.	I know that they're not allowed to.	16	A.	Right.
17	Q.	You're not allowed to?	17	Q.	There's the back room where the DJ is and there was a
18	A.	They look in your purse to see if there's bottles.	18		front where you enter?
19	Q.	So when you entered the CAID, did they tell you you	19	A.	Yes.
20		cannot bring in your own liquor or alcoholic beverages?	20	Q.	Have you ever been in the bathroom?
21	A.	They didn't tell me that.	21	À.	Yes.
22	Q.	But you said you know that. How do you know that?	22	Q.	Have you seen any type of drug paraphernalia on the
23		Besides them looking in your purse?	23		bathroom floor?
24	A.		24	A.	
25		say, oh, no, you can't have that.	25	Q.	At the bar, did you see any of the guests or members
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		Page 18			Page 20
1		On the two prior occasions that you were there?	1		being served alcohol?
2		Right. They looking in the purse and saying.			
	Α.		2		Yes.
3	A, Q,	Did you see them looking into purses on May 31st of	3	Q.	Did you see an exchange of money for alcohol?
4	Q,	Did you see them looking into purses on May 31st of 2008?	3 4	Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.
4 5_	Q,	Did you see them looking into purses on May 31st of 2008? Yes,	3 4 · 5	Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you
4 5 6	Q, A, Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone?	3 4 5 6	Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?
4 5 6 7	Q. A. Q. A.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No.	3 4 · 5 6 7	Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you
4 5 6 7 8	Q. Q. A. Q. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in?	3 4 	Q. A. —Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.
4 	Q. A. Q. A. Q. A.	Did you see them looking into purses on May 31st of 2008? Yes, Did you see them turning away anyone? No. When you came in? No.	3 4 5 6 7 8 9	Q. A. Q. A. BY	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):
4 5 6 7 8 9	Q. Q. A. Q. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in?	3 4 	Q. A. Q. A. BY	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?
4 5 6 7 8 9 10 11	Q. A. Q. A. Q. A. Q. A.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m.	3 4 5 6 7 8 9 10	Q. A. Q. A. BY Q.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.
4 5 6 7 8 9 10 11 12	Q. A. Q. A. Q. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive?	3 4 5 6 7 8 9 10 11 12	Q. A. Q. A. BY Q.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 3 lst of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.
4 5 6 7 8 9 10 11 12 13	Q. A. Q. A. Q. A. Q. A. Q. A.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes.	3 4 5 6 7 8 9 10 11 12 13	Q. A. Q. A. BY Q. A. BY	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):
4 5 6 7 8 9 10 11 12 13 14	Q. A. Q. A. Q. A. Q. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that	3 4 5 6 7 8 9 10 11 12 13 14	Q. A. Q. A. BY Q. A. BY	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?
4 5 6 7 8 9 10 11 12 13 14 15	Q. A. Q. A. Q. A. Q. A. Q. A.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What	3 4 5 6 7 8 9 10 11 12 13 14 15	Q. A. Q. A. BY Q. A. BY	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):
4 5 6 7 8 9 10 11 12 13 14 15 16	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask?	3 4 	Q. A. Q. A. BY Q. A. BY Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.
4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it	3 4 5 6 7 8 9 10 11 12 13 14 15	Q. A. Q. A. BY Q. A. BY Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it had you could check what kind of membership you	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. Q. A. BY Q. A. BY Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. BY Q. A. BY Q. A. BY	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it had you could check what kind of membership you	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. BYY Q. A. BYY Q.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 3 lst of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you look for a City of Detroit business license?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it had — you could check what kind of membership you wanted, the length of it. And then it had an agreement,	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. BYY Q. A. BYY Q. A. BYY A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  No.  MR. ASHFORD (Continued):  Did you look for a City of Detroit business license?  No.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it had — you could check what kind of membership you wanted, the length of it. And then it had an agreement, which I didn't read but I'm not sure what it said and you	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. BY Q. A. BY Q. A. BY Q. A. C. C. A. C.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you look for a City of Detroit business license?  No.  Did you look for a City of Detroit dance license?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it had — you could check what kind of membership you wanted, the length of it. And then it had an agreement, which I didn't read but I'm not sure what it said and you have to sign and date it.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. A. BY Q. A. BY Q. A. Q. A. A. Q. A.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did-you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you look for a City of Detroit business license?  No.  Did you look for a City of Detroit dance license?  No.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Did you see them looking into purses on May 31st of 2008? Yes. Did you see them turning away anyone? No. When you came in? No. What time did you arrive? Around 1:00 a.m. And you were 20 years old at the time? Yes. Can you describe this membership application form that you filed out? How thick was it? What was on it? What kind of information did it ask? It asked for your address, name, birthday and then it had — you could check what kind of membership you wanted, the length of it. And then it had an agreement, which I didn't read but I'm not sure what it said and you have to sign and date it. You didn't read it?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. BY Q. A. BY Q. A. Q. A. Q.	Did you see an exchange of money for alcohol?  No. I wasn't paying close attention.  When you were in the CAID on May 31st of 2008, did you see a State of Michigan liquor license posted?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit dance permit?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  MS. JAMES: Objection as to foundation.  No.  MR. ASHFORD (Continued):  Did you see a City of Detroit business license?  No.  Did you look for a City of Detroit dance license?  No.  Did you look for a State of Michigan liquor license?
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1	Page 21			Page 23
1	for my friends to come in.	1		just having fun.
2	Q. So you were the first person in?	2	Q,	·
j 3	A. Yeah.	3	À.	
4	Q. Where were they?	4	Q,	Had Brian or Tabitha had anything to drink?
5	A. Just at the door either having their IDs checked or	5	A.	
6	filling out the forms.	6	Q.	Any alcoholic beverages?
7	Q. So you were just slightly in front of them?	7	À.	No.
8	A. Oh, yeah.	8	Q.	
9	Q. Did you see any food being served at the bar?	9		anything?
10	A. No.	10	A.	· -
11	Q. Or in the bar area?	11		Do you know if Ashley had anything to drink while she was
12	A. No.	12		there?
13	Q. Did you see any food being served at all in the CAID on	13	Α.	I don't remember or recall.
14	May 31st of 2008?	14		Did she join you at the CAID?
15	A. No.	15		I can't remember if she rode with us that night or if she
16	Q. Did you see any of the guests or members walking aroun	1		met us there.
17	with alcoholic beverages?	17	0.	But she did come?
18	A. Yes.	18	-	Oh, yeah, she did.
19	Q. Were they beverages in cups, glasses, bottles?	19		So by the time you were in the courtyard was she there
20	A. I don't remember.	20	٧.	with you?
21	Q. So when your friends came into the CAID and you're all	21	Á.	Yes.
22	together, then what happened?	22		So at some point the Detroit police officers came into
23	A. We went to the dance floor.	23	٧.	the place?
24	Q. And that would've been in the back room?	24	Á	Right.
25	A. The back room.	25	Q.	
or economica de colombra de la colom	Page 22	·	***************************************	Page 24
		<b>}</b>		2490 21
) I	O. Can you describe the lighting inside the CAID for me?	1	A	We were just singing songs and all of a sudden the door
) 1 [ 2	Q. Can you describe the lighting inside the CAID for me?  A. The front room is decently bright, but the back room	1 2	A.	We were just singing songs and all of a sudden the door from the inside just slams open
2	A. The front room is decently bright, but the back room	2		from the inside just slams open.
2 3	A. The front room is decently bright, but the back room where the dance floor is, it's pretty dark, I'd say.	2 3	Q.	from the inside just slams open. From inside
2	<ul> <li>A. The front room is decently bright, but the back room where the dance floor is, it's pretty dark, I'd say.</li> <li>There's some lights but it's pretty dark.</li> </ul>	2 3 4	Q.	from the inside just slams open.  From inside From inside the CAID to the patio. It just slams open.
2 3 4 5	<ul> <li>A. The front room is decently bright, but the back room where the dance floor is, it's pretty dark, I'd say.</li> <li>There's some lights but it's pretty dark.</li> <li>Q. What kind of lighting is in the back room where the DJ</li> </ul>	2 3 4 5	Q.	from the inside just slams open.  From inside  From inside the CAID to the patio. It just slams open.  And people are yelling and telling us to
2 3 4 5 6	<ul> <li>A. The front room is decently bright, but the back room where the dance floor is, it's pretty dark, I'd say.</li> <li>There's some lights but it's pretty dark.</li> <li>Q. What kind of lighting is in the back room where the DJis? Is it like a strobe light or spotlight?</li> </ul>	2 3 4 5	Q. A.	from the inside just slams open.  From inside  From inside the CAID to the patio. It just slams open.  And-people are yelling and telling us to get on the ground.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>A. The front room is decently bright, but the back room where the dance floor is, it's pretty dark, I'd say. There's some lights but it's pretty dark.</li> <li>Q. What kind of lighting is in the back room where the DJ is? Is it like a strobe light or spotlight?</li> <li>A. I don't remember.</li> <li>Q. Can you see the person next to you?</li> <li>A. Yes.</li> <li>Q. Could you see across the room?</li> <li>A. Yes.</li> <li>Q. Was it just reflections of people dancing?</li> <li>A. You could see pretty clearly. It was just dark.</li> <li>Q. Could you see the DJ?</li> <li>A. Yes.</li> <li>Q. So how long did you stay in that room?</li> <li>A. About 15 minutes, I'd say.</li> <li>Q. Okay. Then what happened?</li> <li>A. We went outside to the backyard patio area.</li> <li>Q. And is that where you were when the Detroit police officers came into the CAID?</li> <li>A. Yes.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. A. Q. A. Q. A. Q.	from the inside just slams open.  From inside  From inside the CAID to the patio. It just slams open.  And-people-are yelling and telling-us-to- get on the ground.  How close were you to the door?  I would say a good 15 yards.  Approximately, 15 yards?  It's hard to recall, though. It's been a while.  Were there a lot of people between you and the door?  No.  No?  Not really.  So were you like of the people that were in the courtyard, were you one of the people that were closest to the door?  There were people kind of on the sides but not really directly in front of me. There were a lot of people just kind of next to me and behind me, though. I was facing the door.  So then what happens?  They were yelling and swearing at us, telling to us get
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A. The front room is decently bright, but the back room where the dance floor is, it's pretty dark, I'd say. There's some lights but it's pretty dark.</li> <li>Q. What kind of lighting is in the back room where the DJ is? Is it like a strobe light or spotlight?</li> <li>A. I don't remember.</li> <li>Q. Can you see the person next to you?</li> <li>A. Yes.</li> <li>Q. Could you see across the room?</li> <li>A. Yes.</li> <li>Q. Was it just reflections of people dancing?</li> <li>A. You could see pretty clearly. It was just dark.</li> <li>Q. Could you see the DJ?</li> <li>A. Yes.</li> <li>Q. So how long did you stay in that room?</li> <li>A. About 15 minutes, I'd say.</li> <li>Q. Okay. Then what happened?</li> <li>A. We went outside to the backyard patio area.</li> <li>Q. And is that where you were when the Detroit police officers came into the CAID?</li> <li>A. Yes.</li> <li>Q. What did you do once you got to the patio area?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. A. Q. A. Q. A. Q.	from the inside just slams open.  From inside  From inside the CAID to the patio. It just slams open.  And people are yelling and telling us to get on the ground.  How close were you to the door?  I would say a good 15 yards.  Approximately, 15 yards?  It's hard to recall, though. It's been a while.  Were there a lot of people between you and the door?  No.  No?  Not really.  So were you like of the people that were in the courtyard, were you one of the people that were closest to the door?  There were people kind of on the sides but not really directly in front of me. There were a lot of people just kind of next to me and behind me, though. I was facing the door.  So then what happens?

		Page 25			Page 27
1		So then we eventually all had to get on	1		get slammed against the wall. Kind of forcefully.
2		the ground with our hands on our head. We had to lay	2	Ο.	Do you know if the bouncer followed the instructions of
1 3		there for a while.	3		the Detroit police officers before that action occurred?
4	Q,		4	Α.	
5	Ă,		5	0.	
6	Q,	Then what happened?	6	`	back, do you know if they followed the instructions of
7	A.	Eventually they had the females stand up with their hands	7		the Detroit police officers before this action was taken?
8		on their heads still. And then we lined up against the	8	A.	They were following directions. They were just asking
9		outside wall of the CAID, just the females.	9		questions.
10	Q.		10	Q,	•
11	A.		11	-	Well, the white male kind of started to get up a little
12	Q.	So you were outside lined up along the wall?	12		bit, just lifting himself a little bit and said, "My
13	À.		13		father is an attorney. I just wanted to ask you
14	Q.	<del>-</del>	14		something."
15	A.		15	Ο.	How about the black male, do you recall what he said?
16		the dance floor and we had to lineup against that wall.	16	À.	
17	Q.		17	Q.	
18	Ā.		18	À.	
19	Q.		19	Ο.	Did you see any physical resistance from those who were
20	A.		20		inside the CAID directed towards the Detroit police
21	Q.	Where were they?	21		officers?
22	À.		22	Α.	No.
23	Q.		23	Ο.	So you were lined up in this room. And then what
24	A.	There was some on the dance floor. Same as us, hands on	24		happened?
25		our head, lined up.	25	A.	Then we they let us walk into the front area where we
	********	Page 26	рубубликан с неменяють солистить,	, compression and the second	Page 28
. 1	Q.	Did you see any violent acts from the Detroit police	1		had stood for we stood for maybe a minute or two and
2	`	officers while you were inside the CAID?	2		then we were able to sit down with our heads on our heads
3	Α.	· · · · · · · · · · · · · · · · · · ·	3		still. Then called up one by one and searched, patted
4	Q.	What did you see?	4		down.
5	Ă.		5	Q.	Then what happened?
6		kicked in his back. Actually, I saw two males get kicked	6		Then our belongings were bagged. Then we were able to
7		in their back.	7		sit after our belongings were bagged, we were able to
8	Q.	Can you describe these males for me?	8		sit back down with our hands on our head,
9	A.		9	Q.	Then what happened?
10		was a white male in his 20s.	10	-	One by one they took the bags and looked for the ID. So
11	Q.	Do you know the name of the black male?	11		they were able to call one by one using our IDs and we
12	A.	No.	12		were issued the tickets.
13	Q.	Do you know the name of the white male?	13	Q.	Did you see any weapons in the CAID that night?
14	A.	No.	14	À.	
15	Q.	Since May 31st of 2008, have you seen this black male?	15	Q.	Yes.
16	A.	No.	16	À.	No.
17	Q,	Since May 31st of 2008, have you seen this white male?	17	Q.	
18	A.	No.	18	-	any weapons inside the bags?
19	Q.	So you've never had any type of contact at all with this	19	A.	So as far as you know they didn't take you didn't see any weapons inside the bags?  No.  Did you see any knives inside the bags?
20		black male or white male?	20	Q.	Did you see any knives inside the bags?
21	A.	No.	21	À.	No.
22	Q.	Did you observe any other type of violent acts by Detroit	22	Q.	So when they called you up one by one with your IDs, then
_		police officers directed towards the guests or members or	23	•	what happened?
23					
23 24		staff of the CAID?	24	A.	They gave us a ticket. They wrote down the ticket and

			,		
		Page 29			Page 31
1		drove and I said no. And they asked me who I rode with	1		parents was strained. I had to miss school to go to
1 2		and I had to tell them Tabitha Taby. Then I was able to	2		court. Also well, the money it cost to have to drive
1 3		leave.	3		back and forth from Kalamazoo to go to court. I was I
4	0.	Okay. Then tell me what happened.	4		had nightmares about it. It was embarrassing to tell
5		I walked outside and they made us get off the property,	5		people. I was afraid that I was going to be charged as a
6	11.	which we were able to stand just off the property and I	6		criminal.
7		just waited for my friends to come out.	7		That's all that I can think of for right
8	Q.		8		now.
9		Eventually all of us were out. And people were all	9	Ω	You've told me about your fear. What other type of
10	A.	trying to call and get rides home. We had to get our	10	Ų٠	emotional distress, if any?
11		belongings out of Tabitha's car, which was going to be	11	Α	Embarrassment, strained relationships.
12		towed.	12		Did you ever seek any type of counseling or psychiatric
13	0	Where was her car parked?	13	Ų,	help?
14			14		No.
	Α.	, ,			
15 16	Q.		15 16	Q.	1 ,
17	Α.		16 17	Α.	•
1	Ų.	Where is that located in relation to the door that you		Q.	•
18		went into?	18	A.	11
19	Α.	It's I'm not sure of the direction. But it's off of	19		He was angry with you?
20		Rosa Parks. You turn on Rosa Parks directly into the	20	Α.	Yeah. Just to have someone to blame for you know, I
21		parking lot and you walk straight into the door, the side	21	_	shouldn't have even gone out that night.
22	_	door.	22		What's the name of your parents?
23	Q,		23	Α.	, , , ,
24	A.		24	Q.	• •
25	Q.	Then what happened?	25	A.	No. Divorced.
		Page 30			Page 32
1	A.	My friend Ashley called her boyfriend at the time and he	1	Q.	Where does your mother live?
2		came and picked us up.	2	A.	In West Bloomfield,
- 3	Q.	Not including the violent acts that we already discussed,	3	Q.	The address on your operator's license, is that your
4		did you see any other or any strike that.	4		mother's address?
5		Besides the violent acts that we talked	5	A.	That's my mother's address.
6		about, did you see any police misconduct inside the CAID?	6	Q.	What's your dad's address?
7		MS. JAMES: Objection as to foundation.	7	A,	It's 4160 Yorba, Y-o-r-b-a, Linda Bouleyard.
8	Α.	No.	8	Q,	What city?
9	ВУ	MR. ASHFORD (Continued):	9	A.	Royal Oak.
10	Q.	So how did you get home?	10	Q.	How did your dad find out about it?
11	A.	Ashley's boyfriend at the time his name is Olumide	11	À.	I came home and told him.
12		came to pick us up.	12	Q.	So when you were dropped off, did you go to West
13	Q.	and the state of t	13	_	Bloomfield or Royal Oak?
14	•	right?	14	A.	Royal Qak.
15	A.	To CAID, no.	15	Q.	
16		MR. ASHFORD: Off the record for a	16	ν.	Were you living with your dad?
17		moment.	17	A.	
18		(Momentarily off the record.)	18		at that point.
19		MR. ASHFORD: Back on the record.	19	Q.	Is the relationship still strained with your dad?
20	ВУ	MR. ASHFORD (Continued):	20	A.	No.
21	Q.		21	·Q.	To what extent was your relationship strained with your
22	٧.	personally as a result of the raid on the Contemporary	22	٧.	dad over this incident?
23		Art Institute of Detroit on May 31st of 2008?	23	A.	
				_	
1 24	Α	I SHITERED A INT OT EMPTIONAL DISTRESS. I teared for my	7.4		
24 25	A.	I suffered a lot of emotional distress. I feared for my life that night and my relationship with my both of my	24 25	Q.	I guess I want you to describe how your relationship was strained with your dad and the duration of the strained

	Page 33			Page 35
1	relationship.	1	A.	I didn't see that.
1 2	A. I'd say it was for about a year. Mostly it had to do	2		I'm going to show you what's been marked as Defendant's
1 3	with me having to go back and forth from Kalamazoo to	3		Exhibit Number 6. Do you see in Defendant's Exhibit
4	Detroit for court.	4		Number 6 how the Detroit police officers were dressed on
5	Q. How many times did you do that?	5		that night?
6	A. It was either three or four, I believe.	6	Α	Yes.
7	Q. You went to court three or four times?	7		On Exhibit Number 6, the gentleman to your left has
8	A. Yes.	8	Q.	writing on his back. Would you agree with that?
9		9	A	· · · · · · · · · · · · · · · · · · ·
10	Q. Did you have an attorney? A. Yes.	10	Α.	
11		11	Q.	That says Police; is that correct?
1	Q. Who was your attorney?		Α.	Yes.
12	A. Steve Scharg.	12	Q.	Did you see that on that night?
13	Q. How do you spell the last name?	13	Α.	No.
14	A. I think it's S-c-h-a-r-g.	14	Q.	And it would be fair when they came into the courtyard
15	Q. So you were not represented by the ACLU?	15		your head was down, correct?
16	A. No.	16		No.
17	Q. How did you find Mr. Scharg?	17	Q.	Didn't they tell you to get on the ground?
18	A. He's a friend of the family.	18	A.	, , ,
19	Q. What was the end result of the criminal charge?	19	Q.	Have you been back to the CAID since May 31st of 2008'
20	A. They were dropped.	20	A.	No.
21	Q. They were dismissed?	21	Q.	Why not?
22	A. Dismissed. Sorry.	22	A.	I haven't wanted to even I just don't want to risk it.
23	Q. Did you have to pay any costs at all?	23		It's just this whole case has made me not want to go
24	A. No.	24		back.
25	Q. Did you have a trial?	25	Q.	So you didn't go to Halloween Funk Night?
	Page 34			Page 36
1	A. I think it was dropped after pretrial.	1	A.	No.
2	Q. Why was your father angry about you having to go back and	. 2	Q,	I'm going to show you Defendant's Exhibit Number 5. Ir
3	forth to court? Was that because of the money for	3		Defendant's Exhibit Number 5, there seems to be a Detroit
4	driving?	4		police officer and he has the word police on what looks
5	A. Class mostly.	5		to be the left side in the chest area. Do you see that?
6	Q. Why did you say you feared for your life?	6	A.	Yes.
7	A. Well, there were guns being pointed at my head.	7	Q.	Did you see that on the night of May 31st, 2008?
8:	Q. Did you know they were Detroit police officers?	8	À.	No. Not the ones that came into the yard,
9	A. No.	9	O.	Okay. So were they dressed like the officers that we've
10	Q. Did you hear them shouting Detroit police?	10		described in defendant's Exhibit Number 6 and 5?
11	A. Not for at least the first 30 seconds to a minute.	11	A.	
12	Q. After that did you hear them say identify themselves	12		any white writing. I guess they're wearing some other
13	as Detroit police officers?	13		things. But they were dressed similarly to that, plus
14	A. After awhile they did.	14		ski masks and bandannas, without the writing.
15	Q. And you said after awhile they did.	15	Ω	Have you talked to Tabitha about this lawsuit at all?
16	A. Right.	16	Ą.	
17	Q. What do you mean by after awhile?	17	Q.	How about Brian?
18	A. After a minute or so.	18	Q. A.	Same thing. They don't know much about it.
19	Q. How were the police officers dressed?	19	Q.	And how about Ashley?
20	_	20	~	•
21	A. They had all black on. They had ski masks, black		Ą.	Same.
1	bandannas. Some of them had caps on or black beanies.	21	Q.	Do you know if Tabitha was able to get her car back?
22	Black, kind of like armor suits.	22	Α.	She did I took her to get it back, actually.
23	Q. Military style?	23	Q.	Oh, you did?
24	A. Sort of like military style but all black.	24	Α.	Yes.
25	Q. Did they also have Detroit Police on their uniforms?	25	Q.	So tell me about that. What happened there?

	Page 37		Page 39
1 :	A. We had to drive all around. She ended up having to pay	1 STATE OF MICHIGAN)	
	like \$1,200 to get it out. We had to go I believe	2 ) ss	Ĕ
	it's the police station first and then we went to, I	3 COUNTY OF OAKLAND)	
	think another then we went to a court, but that might	4	William Commencer
	have been.	5 I, Darlene K. May, Notary Public within a	
1	6 Q. Was that the Wayne County Prosecutor's Office?	6 the County of Oakland, (Acting in Wayne), State	
-	7 A. I believe so. And then we had to go to the tow	7 hereby certify that the witness whose attached dep	
{	Q. The tow yard?	8 taken before me in the above-entitled matter was	
	A. The tow yard, yeah.	9 sworn at the aforementioned time and place; that	
10		given by said witness was stenographically record presence of said witness and afterwards transcribe	
1:		under my personal supervision, and that the said of	
12		a full, true and correct transcript of the testimony	
13	, , , , , , , , , , , , , , , , , , , ,	the witness.	given by
1 14	• • • • • • • • • • • • • • • • • • • •	15 I further certify that I am not connected by	v blood
15		or marriage with any of the parties or their attorne	
10	A	that I am not an employee of either of them, nor fi	
17	1	18 interested in the action.	- 200
18	· · · · · · · · · · · · · · · · · · ·	19 IN WITNESS WHEREOF, I have hereun	to set my hand a
19	,	20 the City of Novi, County of Oakland, State of Mic	chigan, this
20		21 28th day of November, 2010.	2241
21		22 Dalhax M	OP1
22		23 /s/ Darlene K. May	
23		Darlene K. May, Notary Public Oakland County, Michigan	
24		Oakland County, Michigan My commission expires: 01-13-	14
25	<i>D</i>	wiy commission expires, 01-13-	14
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### EXHIBIT 13

### 2:10-cv-10675-VAR-MKM Doc # 84-14 Filed 04/17/12 Pg 2 of 13 Pg ID 1978

1		D STATES DISTRICT COURT	1	пиркх	
2	EASTE	RN DISTRICT OF MICHIGAN SOUTHERN DIVISION	2		
3	IAN MOBLEY, KIMBERLY MOBLEY,		3	WITNESS	PAGE
4,3	PAUL KAISER, ANGIE WO WASHINGTON, NATHANIEL	PRICE,	4	<del></del>	
	JEROME PRICE, STEPHAN JASON LEVERETTE-SAUND		5	IAN MOBLEY	
0	LEVERETTE, DARLENE HE THOMAS MAHLER, and LA	Llenberg, Ura Mahler	6	Direct Examination by Mr. Ashford	3
1	•	ntiffs,	7		
8	₹	•	8		
ğ	CITY OF DETROIT, VICE	T YOST.	9		
10	and DANIEL BUGLO,	endant.	10		
11			11		
12		OSITION OF IAN MOBLEY,	12		
13		a Defendant on the 29th day of	13		
14	· <del>-</del>	ne Law Offices of Goodman & Hurwitz,	14	EXHIBITS	
15		kvenue, Detroit, Michigan, 48207, at	15	(none)	
16	1:00 p.m.	svenoe, pactote, managan, sonot, as	16	(	
17	_		17		
18	APPEARANCES:	KATHRYN BRUNER JAMES, ESQ. (P71374)	18		
19	For the Plaintiff:	Goodman & Hurwitz, P.C.	19		
		1394 E. Jefferson Avenue Detroit, Michigan 48207	20		
20		Telephone: (313)567-6170	21		
21	For the Defendant:	JERRY L. ASHFORD, ESQ. (P47402) City of Detroit Law Department	22		
22		660 Woodward Avenue, Suite 1650 Detroit, Michigan 48226	23		
23		Telephone: (313)237-3089	23 24		
24					
25	REPORTED BY:	Angel Berry, CSR 7821 Certified Stenographic Reporter	25		
	RE	LIANCE COURT REPORTING (313)964-3611		RELIANCE COURT REPORTING (313) 964~3611	

Were you accused of child molestation? 0 Detroit, Michigan 2 Å Monday, November 29, 2010 ~ 1:00 p.m. 0 Okay. Have you been - strike that. 3 Have you sat for a deposition in any other-REPORTER: Do you swear or affirm that the 4-5 festimony you're about to give in this matter will be case? the whole truth? Å Okay. Well, that deposition is just like this MR. MOBLEY: Yes, 7 deposition. We have a court reporter that's sitting MR. ASHFORD: Let the record reflect that to my left and she's siting to your right. She's this is the deposition of Ian Mobley taken pursuant to 9 taking down everything that we say, so therefore, I 10 the federal rules of civil procedure to be used for 10 need verbal answers to my questions. I can't take any 11 any and all purposes allowed under the Federal Rules 11 12 bead nods or shakes or uh-hub, uh-ub. 12 and the notice to all parties. 13 Okay. A: 13 DIRECT EXAMINATION 14 Okay. If at any time I ask you a question and you Q 14 MR. ASHFORD: 15 don't understand my question, let me know and I'll 15 Good afternoon, Mr. Mobley. My name is Jerry Ashford rephrase until, hopefully, you do. State your full 16 16 and I represent the City of Detroit and the police officers in this lawsuit. Have you ever given any 17 name for the record. 17 Ian Gordon Mobley. type of testimeny in court before? 18 A 18 19 How old are you, Ian? 19 Not in court. Q 20 Twenty-three. 20 Was it outside of court? 21 What's your date of birth? 21 A deposition. 22 November 6th, 1987. A deposition. Okay. What kind of case was that? 22 23 0 And what's your social security number? Child molestation. 23 373-08-9773. 24 A 24 Okay. Were you a witness? 25 What's your current address? 25 Å Yes. RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING (313) 964+3611

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				• .,	, g = g
1	Å	21808 East River Road, Grosse He, Michigan.	1	A	In Riverview.
2	Q	What city is that?	2	Q	Riverview, Michigan?
3	À	Grosse Ile, Michigan.	3	Å	Yes,
4	Q	How do you spell that?	4	Q	How long did you live there?
	À	G-r-o-s-s-e, space, I-I-e, and that's 48138.	5	A	About ten years, I think.
U	Q	Who do you live with?	6	Q	What was your address in Riverview?
7	À	My mom, my dad and my brother.	7	Å	18157 Mulberry.
8	Q	How long have you lived at the East River address?	8	Q	What was the zip code?
9	À	They moved there about three years ago.	9	Å	48132, maybe. I don't know. They changed it.
10	Q	Three years ago? Is that what you said, three years	10	Q	Where were you born?
11	•	ago?	11	Å	Where was I born?
12	A	Yes,	12	Q	Yes.
13	Q	What's your mom's name?	13	Å	Wyandotte Hospital.
14	Ă	Kimberly Mobley.	14	Q	In Wyandotte, Michigan?
15	Q	And what is your dad's name?	15	À	Yes.
16	À	Gordon Mobley.	16	Q	Did you attend high school?
17	Q	How many siblings do you have?	17	Å	Riverview Community High School,
18	À	Two.	18	Q	Did you graduate from Riverview?
19	Q	What are there ages?	19	A	Yes.
20	À	One is twenty-one and one is seventeen.	20	Q	What year?
21	Q	What is your twenty-one year old sibling's name?	21	A	2006.
22	À	Emily Mobley,	22	Q	Do you have any further education beyond Riverview?
23	Q	And the other?	23	Å	I'm a current student at Michigan State University.
24	À	Jack Mobley.	24	Q	What are you studying?
25	0	Where did you live before the East River address?	25	A	Advertising.

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1 Q Is that your major? 1 Q Were you employed at the to 2 A Yes. 3 Q And you have not received a degree yet? 3 Q Where? 4 A No.	ime?
3 Q And you have not received a degree yet? 3 Q Where?	
A formal and an angle and an angle and an analysis and an anal	
4 No	
4 A No I WOYREG TOTAL TO THE CONTROL OF THE CONT	. – . – –
5 Q Have you ever attended any educational institution 5 Q Gordon Mobley?	•
6 post-secondary besides Michigan State University? 6 A Yes.	
7 A University of Michigan Dearborn and I took a class at 7 Q Doing what?	
8 Wayne County Community College. 8 A Mow lawns and do landscap	ing. I also filed and served
9 Q How many classes did you take at U of M Dearborn? 9 papers for him.	
10 A Twelve credits my very first semester of my freshman 10 Q What kind of papers did yo	a file and serve for him?
11 year, 11 A Legal documents.	
12 Q You took did three credits at Wayne County? 12 Q Is he an attorney?	
13 A Yes. I think about it was three or four credits at 13 A Yes.	
14 Wayne County Community College. 14 Q What practice area?	
15 Q Are you currently employed? 15 A Downriver. His office is in	Riverview.
16 A Yes, 16 Q So he has law offices in Riv	erview, Michigan?
17 Q Where? 17 A Yes.	
18 A Guido's Pizza. Okemos, Michigan. 18 Q What kind of law does he p	ractice?
19 Q How long have you worked there? 19 A General practice.	
20 A About three mooths, 20 Q Does he also have a landsca	ping business?
21 Q On May 31st of 2008 you were twenty years old? 21 A No, but he owns industrial	parks and I cut the lawn
22 A Yes 22 and maintain the shrubs an	d things around it.
23 Q So you were six months short of your twenty-first 23 Q On May 31st of 2008 were	ou attending Michigan State
24 birthday? 24 University?	
25 A Yes. 25 A Yes.	

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1	Q	During your adult life have you ever been arrested?	1		MR. ASHFORD: Let the record reflect that lan
2	•	MS. BRUNER-JAMES: Objection as to relevance.	2		has handed me a Michigan Operators License
3		Go ahead.	3		#M-140-326-285-853, which expires on November 6th of
4		THE WITNESS: No.	4		2012 in the name of Ian Gordon Mobley. 21808 East
		MR. ASHFORD: 1911 give you a standing	5		River Road, Grosse Ile, Michigan 48138-1336. Date of
ď		objection to these three questions as usual.	6		birth is 11/6/1987. No restrictions; no endorsements.
7		MS. BRUNER-JAMES: Thank you.	7	BY MR.	ASHFORD:
8	BY MR.	ASHFORD:	8	Q	Thank you very much. Back to your membership status.
9	Q	Mr. Mobley, have you ever been treated for substance	9		So you paid five dollars on May 31st of 2008?
10		abuse?	10	Å	The night of the raid, yes.
11	À	No.	11	Q	Did you fill out any paperwork when you entered into
12	Q	Have you ever been treated for any type of psychiatric	12		the Contemporary Art Institute of Detroit also known
13		illness or psychiatric condition?	13		as the CAID?
14	A	No.	14	A	I may have filled out my name and my e-mail address
15	Q	Have you ever been a member of the Contemporary Art	15		but I'm not sure.
16		Institute of Detroit?	16	Q	Do you specifically recall writing down your name and
17	Å	I'm not sure. The night of the raid I paid five	17		your e-mail address?
18		dollars and they said it was a membership fee, but I	18	A	Not specifically, but
19		didn't really pursue or ask them about that since	19	Q	You can't say you didn't?
20		then,	20	A	Yes, I can't say I didn't.
21	Q	You know, you do enough of these depositions and you	21	Q	After the May 31st, 2008 incident alleged in the
22		start forgetting to ask questions. I see your license	22		complaint did you receive any type of correspondence
23		ont. So do you have a Michigan Operators License?	23		through any channel whatsoever, or any manner
24	À	Yes,	24		whatsoever, from the Contemporary Art Institute of
25	Q	May I see it please?	25		Detroit?

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1	Å	No.	1	Å	I grew up with him.
2	Q	Prior to May 31st of 2008 had you ever visited CAID's	2	Q	You ever attend school with him?
3	•	website?	3	A	High school and middle school.
4	A -	No	4	·Q	And what's Brett's last name?
5	Q	Do you corrently have a Facebook page?	5	A	Donalin.
6	A	Yes.	6	Q	Can you spell that for me please?
7	Q	Have you ever discussed the incident on May 31, 2008	7	A	D-o-n-a-1-i-n,
8		on your Facebook page?	8	Q	And how did you know him?
9	A	No.	9	Å	Michigan State and he's from Grosse Ile as well.
10	Q	On May 31st of 2008 you did attend an event at the	10	Q	How old is Mike?
11		CAID, correct?	11	A	Currently?
12	Á	Yes,	12	Q	Currently.
13	Q	Who were you with that night?	13	Å	Twenty-three or twenty-four.
14	Å	My friends Mike, Zach and Brett.	14	Q	How old is Zach?
15	Q	What's Mike's last name?	15	A	Twenty-two.
15 16	Ā	Diclaudio.	16	Ü	And how old is Brett?
17	Q	Spell that?	17	A	Twenty-two.
18	À	D-i-c-l-a-u-d-i-o.	18	Q	And at some point the four of you decided to go to the
19	Q	How do you know Mike?	19		CAID that night, correct?
20	Å	From Michigan State and he lives in Grosse He.	20	Á	Yes.
21	Q	What's Zach's last name?	21	Q	What was your mode of transportation?
22	Å	Yarela.	22	A	To the CAID or from downriver?
23	Q	And can you spell his last name?	23	Q	To the CAID.
24	Å	V-a-r-c-I-a.	24	A	We walked.
25	Q	And how did you know Zach?	25	Q	What was your mode of transportation from downriver?
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1	A	1 drove,	1	Strike that.
2	Q	And were there only the four of you in the vehicle?	2	What time do you arrive at Jay's house for
3	À	Yes.	3	the Red Wings game?
4	Q	Where were you coming from?	4 A	Maybe around nine. I'm not sure.
	À	My friend's cousin's house. We had just watched the	5 Q	Nine o'clock p.m.?
ø		Red Wings game.	6 A	Yes.
7	Q	What's your friend's name?	7 Q	And that would have been the evening of May 30th of
8	À	Justin.	8	2008?
9	Q	What's his last name?	9 A	Yes.
10	À	Medina.	10 Q	And you drove to Jay's house?
11	Q	How old is he?	11 Å	Yes,
12	À	Twenty-two right now.	12 Q	Did you drive there alone?
13	Q	What's your relationship with him?	13 A	No.
14	À	High school, middle school. Good friend.	14 Q	Who was in the vehicle with you?
15	Q	What's his cousin's name?	15 A	My friend, Zach.
16	Ā	I know him as Jay. I don't know his full first name	16 Q	Where were you and Zach coming from?
17		or the last name.	17 Å	Our houses.
18	Q	Okay. Do you know how old Jay is?	18 Q	Did you pick up Zach at home?
19	À	He's a couple years older than us so about	19 A	Yes.
20		twenty-four.	20 Q	How long had you and Zach been together before you
21	Q	Where was this home located?	21	attended the event at Jay's house?
22	Ā	Southgate, Michigan.	22 A	The ten minutes that it took to drive there.
23	Q	Do you know the exact address?	23 Q	So you were on your way to Jay's house and you picked
24	À	No.	24	up Zach on the way?
25	Q	What time did you arrive at the Red Wings game?	25 A	Yes.
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positive on that. What type of vehicle were you driving that night? During the time that you were at Jay's house did you A Honda Element. 2 or any of your friends have any alcoholic beverages to What color? 3 3 0 drink? -Black A MS. BRUNER-JAMES: Objection as to relevance. What year? 0 As you've already established, Ian was under A 2004, maybe, I'm not sure. Who was the registered owner of the vehicle? twenty-one at the time, so with respect to Ian's 7 0 consumption of alcohol at the time, he has a Fifth My mother, Kimberly Mobley. Amendment right not to answer that question. 9 0 Who was the primary user of the vehicle? 9 So, Ian, with respect to just yourself, I'm 10 10 At the time, my sister, Emily Mobley. 11 advising you not to answer any questions about 11 How often did you use that vehicle? consuming alcohol except for when Mr. Ashford asks you 12 We have a couple cars that we switch through, so a 12 couple times a week usually. 13 about what happened at the CAID that night. When he's 13 asking you questions about when you were at the CAID 14 As of May 31st of 2008 how many vehicles did your 14 Q 15 the night that the police raided then I'd advise you family have? 15 16 to waive the right, but for this question I'd advise I'm not sure. 16 17 you to assert your right. 17 Q Okay. How many vehicles did you have yourself, 18 BY MR. ASHFORD: personally? 18 19 Mr. Mobley, do you wish to avail yourself of your 19 Me and my sister had two between the two of us. À 20 And Emily was not with you that night, correct? 20 attorney's advice? Q 21 21 À Yes. 22 And plead the Fifth Amendment? Do you know if the Honda Element was insured? Q 22 0 23 23 Yes, it was insured. Å 24 The other part of my question was were any of - was 24 Q What was the name of the insurer? 25 anyone else at Jay's house drinking any alcoholic 25 I think most of our cars are State Farm, but I'm not A

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1		beverages?	1	Q	What time did you leave Jay's house?
2		THE WITNESS: Can I answer that?	2	Å	It was about twenty minutes after the Red Wings had
3		MS. BRUNER-JAMES; Yes,	3		won. I'm not really sure.
4		THE WITNESS: Yes,	4	Q	Do you know Zach's address?
	BY MR	, ASHFORD;	5	Å	No.
d	Q	Who was drinking at Jay's house?	6	Q	Do you know his telephone number?
1	Ā	Zach,	7	Å	Cell phone.
8	Q	Zach?	8	Q	Can you give me his cell phone number please.
9	A	Yes.	9	A	(734)624-2392.
10	Q	What was he drinking?	10	Q	I'm sorry. I may have already asked you this, but
11	A	Probably beer. I couldn't tell you for sure.	11		what time did you leave Jay's house?
12	Q	Was it in a cup, glass, or bottle?	12	Å	I'm not sure of the exact time. It was about twenty
13	Á	I couldn't tell you for sure.	13		minutes after the Wings won. I think it was around
14	Q	Was anyone else drinking at Jay's house?	14		midnight.
15	A	Yes.	15	Q	On May 31st of 2008 did you have a cell phone?
16	Q	Who else?	16	A	Yes.
17	Å	Justin and Jay.	17	Q	Who was your cell phone provider?
18	Q	Yon said Justin and Jay?	18	Å	I couldn't tell you for sure. I think it was Verizon
19	Å	Yes.	19		at the time.
20	Q	Was Mike drinking?	20	Q	What was the number?
21	À	Mike wasn't there.	21	A	(734)674-5386.
22	Q	Okay. Was Breft there?	22	Q	So how did you meet up with Mike and Brett that night?
23	A	No.	23	A	I picked them up.
24	Q	Okay, You picked them up after you left Jay's house?	24	Q	Did you talk with them on the phone before you picked
25	À	Yes.	25		them up?

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Okay. So you stopped by Dustin's house. How long Yes. Á were you at Dustin's house? 2 Whose idea was it to go to the CAID? Q Á Probably around fifteen to twenty minutes. 3 Mike's. Å What were you doing at Dustin's house? -Was Mike a member? -0 -4 Q My friends were kind of talking to them catching up. I think he had been there. I'm not sure what his 5 5 They grew up with them. membership status was. 0 What friends grew up with Dustin? Q But he told you he had been there before? Brett and Mike. Yes. Å Á Did Dustin live downriver? Q And he suggested that you go to the CAID that night? 10 Yes, he's from Grosse He. A 10 11 What time did you - approximately what time did you 11 0 Okay. And you agreed? arrive at Dustin's home? 12 12 Yes. Å I'm not sure, but if I had to guess I would say around 13 13 And then what happened? 14 12:45. 14 We drove to his friend's house where I parked my car. Okay. At some point you decided to leave Dustin's What friend's house? 15 Q 15 Q 16 home? Dustin. He's actually not my friend; he's one of 16 17 A Yes. Mike's friends that I met that night. 17 What's Dustin's last name? 18 0 Okay. Then what happened? 18 Q We talked to the CAID. 19 I don't know. 19 Why did you walk to the CAID? 20 0 Where does Dustin live? 20 0 21 Because I had heard that it wasn't really a good idea 21 He lived in the area of the CAID. I couldn't tell you 22 to park your car there because people had gotten stuff 22 his address. 23 broken into. 23 0 Do you know what street he lived on? 24 Who told you that? Q 24 No. I could find out. It's the only time I had ever 25 My friend, Mike. That was the reason we went to his 25 been there.

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2 Q How far was Dustin's home from the CAID? 3 A Around a mile give or take. It was about a fifteen to 4 twenty minute walk. Q And who walked to the CAID with you? 4 It was just us four. 5 It was you, Brett, Mike 7 Q It was you, Brett, Mike 8 A And Zach. 9 Q Then what happened? 2 Q Anything else you heard about the CAID? 3 A That was it. 4 Q Okay. Did you receive a wristband when you walked into the CAID? 5 into the CAID? 6 A No. 7 Q Did anyone check your identification when you walked into the CAID? 8 A And Zach. 9 Q Then what happened? 9 A Yes.	
A Around a mile give or take. It was about a fifteen to twenty minute walk.  Q And who walked to the CAID with you? A It was just us four.  Q It was you, Brett, Mike— R And Zach.  A And Zach.  A Around a mile give or take. It was about a fifteen to A Q Okay. Did you receive a wristband when you walked being the CAID?  That was it.  Q Okay. Did you receive a wristband when you walked being the CAID?  Did anyone check your identification when you walked being the CAID?	
twenty minute walk  Q And who walked to the CAID with you?  A It was just us four.  It was you, Brett, Mike  R And Zach.  4 Q Okay. Did you receive a wristband when you walked  into the CAID?  No.  7 Q Did anyone check your identification when you walked  a And Zach.	
A It was just us four. Control of A No.	
7 Q It was you, Brett, Mike 7 Q Did anyone check your identification when you walked 8 A And Zach. 8 into the CAID?	
8 A And Zach. 8 into the CAID?	
8 A And Zach. 8 into the CAID?	
9 Q Then what happened? 9 A Yes.	
10 A Then we waited in line for a couple minutes and paid a 10 Q Who checked your identification?	
11 five dollar membership fee to get in, 11 A I don't know.	
12 Q Did each one of you pay a five dollar fee? 12 Q Who was standing at the door?	
13 A From what I remember Mike may not have had to because 13 A I don't know. You walk up to a table and then you'd	
14 he had been there, but I think we all did. 14 show them your E.D. and then if you're twenty-one you	
15 Q Okay. And when you say you think "we all did", you're 15 get a wrist band, but I wasn't. I don't know who was	
16 including Mike? 16 at the door.	
17 A Yes. 17 Q You don't remember if at that time you filled out any	
18 Q Prior to May 31st of 2008 and you ever been to the 18 paperwork?	
19 CAID? 19 A No, I do not recall.	
20 A No. 20 Q What was the lighting like at the table?	
21 Q Had you ever heard of Funk Night? 21 A It was well lit.	
22 A Yes. 22 Q When you were standing at the table did you see anyo	ie
23 What had you heard about it? 23 with alcoholic beverages either in a cup or in a	
24 A I had heard from my friend, Mike, that they had some 24 bottle?	
25 BJs, and go hang out and they would put our work on 25 A No.	

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1	Q	During the time that you were in the CAID on May 31st	1		foundation. Go ahead.
2	•	of 2008 did you see any type of alcoholic beverages	2		THE WITNESS: No.
3		inside the CAID?	3	BY MR.	ASHFORD:
-4	A	Yes, I saw what I thought was alcoholic beverages.	4	Q ·	Did you look for one?
5	Q	Okay. Was it in a cup or was it in botiles?	5	À	No.
6	À	I think I remember it being in cups.	6	Q	Did you observe a City of Detroit business license
7	Q	Okay. Did you see a keg?	7		inside the CAID?
8	À	No.	8		MS. BRUNER-JAMES: Objection as to
9	Q	Did you see anyone selling alcohol?	9		foundation,
10	À	No.	10		THE WITNESS: No.
11	Q	Or any exchange of money for beverages in cups?	11	BY MR.	ASHFORD:
12	À	No.	12	Q	Did you look for one?
13	Q	Did you see any sales of any food?	13	Ä	No.
14	À	No.	14	Q	After you paid your five dollars then what happened?
15	Q	Did you see any sales of anything whatsoever while you	15	Å	We proceeded to go in to where the DJ was at.
16		were inside the CAID?	16	ġ -	Where was the DJ located inside the CAID?
17	A	No.	17	Å	You walk through the front door, turn left, and he's
18	Q	Did you observe a State of Michigan liquor license	18		there.
19	`	posted inside the CAID?	19	Q	Was it in a back room further back in the building?
20	Á	No.	20	Å	You walk in and turn left and walk back a little bit.
21	Q	Did you look?	21	Q	And you went through a door into another room?
22	À	No.	22	Å	A doorway. I don't know if there was a door.
23	Q	Did you observe a City of Detroit dance permit inside	23	Q	Was it dark in the room where the DJ was?
24	`	the CAID?	24	Ā	It was kind of dark.
15		MS, BRUNER-JAMES: Objection as to	25	Q	But there was some lighting, correct?

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1	A	A little bit.	1	Q	Okay. If you're walking through the doorway into the
2	Q	What kind of lighting was there?	2	-	room where the DJ is, as you walk through the doorway
3	À	Dim Ughis,	3		is the DJ to your left?
4	Q	Were there overhead lights or lamps?	4	Å	To the right.
	À	I can't say for sure, I think overhead.	5	Q	He's to the right?
ď	Q	While you were inside the CAID on May 31st of 2008 did	6	Å	Yes, I think.
7	•	you observe what you believed to be any narcotics?	7	Q	Which way would you turn or which way would you go to
8		MS. BRUNER-JAMES: Objection as to	8		get to the art work?
9		foundation.	9	À	If you're coming through the doorway that the DJ was?
10		THE WITNESS: No.	10	Q	Yes
11	BY MR.	ASHFORD:	11	A	You'd go straight to the left I think.
12	Q	So once you walked back into the room where the DJ was	12	Q	Would you go through the room into another room before
13		then what happened?	13		you make a left?
14	À	We listened to music for a minute and then we checked	14	Å	I'm not sure.
15		out some of the art work they had on display.	15	Q	If you were going outside — and outside there's a
16	Q	Approximately what time did you arrive at the CAID?	16		patio area, right?
17	Å	I think it was around 1:15. I can't recall.	17	A	Yes,
18	Q	1:15 ant?	18	Q	If you were going outside to the patio area, when you
19	Å	Yes.	19		went through the doorway which way would you turn or
20	Q	So after you listened to the DJ for a few minutes you	20		which way would you go?
21		walked outside?	21	Á	To get to where?
22	A	First we went and checked some of the art work they	22	Q	To get to the patio area.
23		had on exhibit.	23	Å	You'd turn to the right,
24	Q	Where was the art work located?	24	Q	Towards the DJ?
25	A	Back past the DJ and to the left I think.	25	A	Yes.

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1	Q	You go past the DJ?	1	Å	We were trying to meet some people.
2	À	Past the DJ and to the right.	2	Q	What do you mean it was kind of crowded?
3	Q	Did you observe art work?	3	A	There was a lot of people.
4	-À · —	-Yes,	4	-Q —	Conld you walk easily inside?
5	Q	What kind of art work did you observe?	5	Å	Yes. You could get around but it was kind of stuffy
6	À	Some paintings and some sculptures.	6		and there was like people all around.
7	Q	What type of sculptures did you observe?	7	Q	Okay. Were people dancing around the DJ?
8	À	I don't really know art that well.	8	Å	By the DJ, yes.
9	Q	What was it a sculpture of? A man, a woman, a	9	Q	Were they dancing in the area where you were observing
10	-	soldier?	10		the sculptures and the paintings?
11	A	I couldn't tell you it was so long ago.	11	A	Not so much.
12	Q	Okay. How many sculptures did you see approximately?	12	Q	When you went back to look at the sculptures and
13	À	A couple.	13	-	paintings who was with you?
14	Q	How many paintings did you observe?	14	Å	I (bink it was all four of us; me, Zach, Brett and
15	À	A few.	15		Mike.
16	Q	Less than five?	- 16	Q	Did all four of you go out to the patio area together?
17	À	Yes, I'd say around five.	17	À	Yes.
18	Q	How long did you stay in that area?	18	Q	So then what happened?
19	À	Maybe about ten or fifteen minutes.	19	Å	We bung out there until the cops came.
20	Q	Then what did you do?	20	Q	Okay. Describe how that occurred.
21	À	We went outside for a minute because it was kind of	21	À	I don't know what you mean.
22		crowded.	22	Q	Well, yon said the cops came. Tell me how and what
23	Q	What did you do outside?	23		manner they came in?
24	À	We just kind of falked and listened to music	24	A	They slammed open the back door and came in. Some of
15	Q	What do you mean I'm sorry. Go ahead.	25		them had guns drawn.
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		3013 1 E H AM A	4		<b>Y</b> 11 1
1	Q	Did you know it was police officers?		A	I can't remember.
2	A	I wasn't really sure at first because they were		Q	Was the ground wet?
3		dressed in all black and they had their faces covered.		A	It was a little wet.
4		It was kind of just really confusing at the beginning.	4	Q	During the time that you were outside in the patio
•	Q	How did you find out?	5		area of the CAID did you see any type of violent acts
0	Å	I don't know. You could just kind of tell by the way	6		by Detroit police officers against any of the patrons
7		they conducted themselves and they said they were	7		of the CAID?
8		police so I didn't know what else to think.	8 .	Á	Yes,
9	Q	Did you see the word "police" on the apparel that they	9	Q	What did you see?
10	•	were wearing?		À	I saw one man get kicked down.
11	A	Not at first.	11	Q	Can you describe that man for me?
12	Q	Okay. At what point did you see it?		À	Couldn't describe what he looks like.
13	À	Probably closer to the time when they brought us all	13	Q	Was he – can you gave me his race?
14		inside.		Ā	He was white.
15	Q	How long were you outside?	15	Q	Did you hear anything he said to the Detroit police
16	Ā	Around twenty minutes I think.	16		officers?
17	Q	So when you were outside and they came through the	17	A	I remember him asking for either the officer's name or
18	•	door, what did you do?	18		badge number. He was on his knees with his bands
19	A	Laid on the ground like they told everybody to do.	19		behind his head, and then the officer said, get down
20	Q	So you followed their instructions?	20		on the ground or I'm going to shove my boot up your
21	À	Yes.	21		ass, and proceeded to kick him down and stood on him
22	Q	What were the weather conditions like that morning?	22		for a second.
23	À	I couldn't tell you. I think it was decently warm.		0	Was this person refusing to obey that police officer's
24	••	That's all 1 really remember.	24	`	order to get down?
25	Λ	Was it raining!		A	He was on his knees with his hands on his head but he
23	Q	i.en ir riching.	20	4 P	THE REST OF THE PROPERTY WAS TRRUCKS ON THE WARD OVER THE

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didn't have his face in the dirt like we all did. Dark. A 0 Did the officer ask him to do that? 2 0 Can you describe his hair for me; short, long? 3 Yes, I believe he asked him to lay down on the ground. 3 I know he had a beard. I don't know if he had a hat Å on, but I can't think of his bair really. Û Did he verbally refuse to do that? I don't know if he refused to do it but he -- I think Any other distinguishing features of this officer? 5 5 0 he responded with a question of either what was going A Did you ever find out that officer's name? on or asked for a badge number. 0 0 Did you ever observe any other violent acts from Detroit police officers directed toward the patrons or Do you know the name of the officer that tackled the ij 10 staff of the CAID? 10 African-American gentleman you told me about? 11 I saw someone getting tackled. 11 Å 12 At what point did you observe that? 12 Q Did you see any other violent acts by Betroit police 0 13 officers inside the CAID on May 31st, 2008 that was 13 Probably less than two minutes from when they came in 14 directed toward patrons or staff of the CAID? 14 the back. 15 Can you describe the person that was tackled? 15 Not that I can remember. A I think he was African-American. I couldn't really -16 Were any - strike that. 16 Q 17 he was towards the back of the back and I was right by 17 Did any Detroit police officers physically 18 the door. 18 abuse you? 19 Q Can you describe the officer that tackled him? 19 A 20 So after - strike that. 20 0 21 Can you describe the officer that kicked the white 21 You were lying on the ground for twenty 22 gentleman that you told me about earlier? 22 minutes approximately and then what happened? 23 He was a pretty bulky guy. He was African-American 23 They started to herd up everybody to get them inside. Á Å 24 24 Okay. And then what happened? Q 25 25 Ó Then they took the girls into one room, and then all Light-skinned or dark-skinned?

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1		the guys were in one room and they had us kneel on the	1	Q	What did he ask the cop?
2		concrete floor with our hands on our head.	2	Å	I don't know. I can't remember what he asked him but
3	Q	Were there more girls than guys?	3		he was talking to the cop.
4	Å	I couldn't tell you. Not noticeably.	4	Q	Okay. Can you describe this police officer for me?
•	Q	So the groups were pretty much equal?	5	Å	No, I couldn't.
ď	Å	From what I could tell.	6	Q	How long were you on your knees initially?
7	Q	Where were you taken inside the CAID?	7	A	Twenty minutes,
8	Å	Right the room that's in there right when you come	8	Q	How long were you on your knees the second time?
9		in the back door.	9	A	About ten,
10	Q	Was that the room where the DJ was?	10	Q	Okay. Then what happened?
11	Á	Yes.	11	A	After they had all our belongings they started calling
12	Q	Okay. And then what happened?	12		people by the plastic bags.
13	Á	They had us kneel on the ground with our hands above	13	Q	Okay. So during the time that you were on your knees
14		our head and then I think it was after that, that they	14		the first time they gathered your personal belongings?
15		collected all our belongings and put them into plastic	15	À	Yes.
16		hags,	16	Q	Did someone search you?
17	Q	When you were kneeling were you given the option of	17	Å	Yes. We gave them our belongings and they patted us
18		being on your knees?	18		down to make sure that we didn't have anything else.
19	Á	What do you mean?	19	Q	And they put those belongings in plastic bags?
20	Q	Like were you on your knees?	20	Å	Yes.
21	A	Yes. We had to be on our knees. I asked to be able	21	Q	Okay. And at some point you were called up?
22		to sit and they said no at first, and then a little	22	A	Yes.
23		bit later they said we could sit but somebody that I	23	Q	And what happened?
24		was sitting next to asked the cop something and they	24	Å	They asked me how I had gotten there and I told them
25		made us get back on our knees as punishment.	25		that I had walked. They saw my keys and where I lived
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and they asked how I had gotten to Detroit and I told A Not that I can remember, Did she have a police uniform on or did she have — 2 them I drove to my friend's house. 2 Q Q Okay. Then what happened? I think she had a police uniform on. At least a 3 Okay. Then she asked me where my car was. I didn't police jacket. know that area in the first place so I told her, I Could you see a badge that she was wearing? 5 5 0 don't know what street my friend lives on. I told her I can't remember specifically. I'd probably say yes. Å that my car wasn't here so I didn't know why it So what happened after Mike stood up and volunteered Q mattered where my car was. information concerning your car? 0 Then what happened? Á I think it was another woman cop that handcuffed me 9 10 My friend, Mike, stood up and said he knew where my 10 and made me sit against the wall. He drove around A 11 car was. 11 with her and another officer until they could find my 12 MR. ASHFORD: Off the record. 12 13 (Off the record at, or about 1:57 to 1:58 13 Q Can you describe the officer that handcuffed you? 14 ր.ա.) 14 A lady, Caucasian, maybe about 5'5". Å 15 BY MR. ASHFORD: 15 How was she dressed? 16 16 Can you describe this officer that was questioning you I think she had a police - some type of police Q 17 about the whereabouts of your car? 17 uniform and something over her face. 18 Å It was a lady. I couldn't -- she was kind of skinny. 18 Q What color was her hair? 19 Was she African-American, white? 19 I don't know. I think it was up in her hat or A 20 Yes, she was African-American, 20 something. 21 Light-skinned or dark-skinned? Q Okay. What kind of bat did she have on? 21 22 Light-skinged. 22 I don't know. À 23 Can you describe her hair for me; long, short? 23 Q Was it your standard police hat or was it like - can 24 Å It's probably medium stash long. 24 you describe it for me at all? 25 0 Did she have glasses on or anywhere like that? 25 A I think it was more like a baseball cap. I just

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1		remember her face was covered and I couldn't really	1	reflect that the witness gestured beckopingly with his
2		see her hair.	2	hand,
3	Q	Did she say anything to you?	3 H	Y MR. ASHFORD:
4	A	Not really.	4 (	Who is she that beckoned him to come up?
	Q	She, Mike, and another officer drove around looking	5 A	The white lady officer.
đ	•	for your car?	6 (	Okay. So he was standing at the table as you were
7	A	Yes,	7	being handcuffed?
8	Q	Can you describe the other officer that was with the	8 A	Yes.
9	•	female officer and Mike?	9 (	Okay. And then he left with the officer that
10	Å	The only way I know he was with them is because he was	10	handcuffed you to go find your car?
11		the one that drove my ear back to CAID from where it	11 A	
12		was, but he was an African-American, prefty big guy.	12 C	Did he volunteer to do that or did she direct him to
13		Probably younger than forty. Probably around 6'2",	13	de that?
14		6'3".	14 A	He told her he knew where it was and then she told him
15	Q	How do you know he drove your car back?	15	to come with him.
16	À	Because Mike told me and then when they let me out of	16 C	Okay. And "she" being the Caucasian officer?
17		the CAID he was in my car.	17 A	• •
18	Q	So after she handcuffed you did she go talk to Mike?	18 (	
19	Å	Yes. Mike walked up to her and then they walked out	19 A	• •
20	•-	of the CAID to go look for my car.	20	happening or why I was handcuffed and the only
21	Q	Who gave Mike permission to walk up to her? Did she	21	response I would get is that there's probably a good
22	Y	ask him?	22	reason and so I sat there handcuffed for about thirty
23	A	Yes, like he raised his hand like, 1 know where it is.	23	to forty minutes until they came back and said they
24	n.	She was like, and told him to come up.	24	had gotten my car, and then probably about five or ten
25		MS. BRUNER-JAMES: Just let the record	25	minutes after that I was unhandcuffed.
\$J.		were the contract and the total the contract and the cont	20	immers with that that annimentalism
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1	Q	Then what happened?	1	Q	Then what happened after you received the ticket?
2	Å	I think they gave me my ticket and then sent me out to	2	Å	I walked out and met the officer who had driven my
3	12	my car.	3	48	CAI.
4	0	Who gave you a ticket?	·d · -	n	- Okay, Then what happened?
5	A	I can't remember who it was that gave me the ticket.	T	Å	He showed me some paperwork and told me that my car
6	Q	It wasn't the Cancasian woman that had questioned you	6	A.	was being impounded and if I needed to grab anything I
7	Ų	regarding your car?	7		could grab some stuff.
8			0	n	
	Á	No, it wasn't her.	0 A	Q	So then what happened?
9	Q	It wasn't the officer that handcuffed you?	y 	Å	I don't know if he gave me paperwork but he drove the
10	Å	Well, that was the Cagcasian woman.	10	_	car away.
11	Q	A Caucasiao woman handcoffed you?	11	Q	Okay. Then what happened?
12	Á	Yes	12	A	I stood outside of CAID until all my friends were all
13	Q	Okay.	13		through and then I ended up having to call my father
14	Å	She's the one that handcuffed me,	14		at 5:30 in the morning to come pick me np.
15	Q	That's right, and the African-American woman is the	15	Q	At the time you called your father was Brett out of
16	- "	one who initially questioned you about your car.	16	- '	the CAID?
17	A	She was the one going through the bags at the time.	17	A	Yes, we were all out of the CAID.
18	Q	Did she write you a ticket?	18	Q	So by "we were all out of the CAID", you're referring
19	Å	She may have been the one that wrote me the ticket.	19	_	to Mike, Brett and Zach?
20	Q		20	A	Yes.
21	À	No, because I was kind of like in confusion of why I	21	Q	Dustin did not go to the CAID with you?
22		was handcuffed and what was going on at the time.	22	À	No.
23	Q		23	Q	So at 5:30 you called your dad?
24	Y.	· · · · · · · · · · · · · · · · · · ·	24	Á	Yes.
25	Ä	I had just been released from them, yes.	25		
άĴ	f.	y man frat neem teessen et om trisur' kez	W	Q	Why did you call your dad?

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		2.10 01 10010 17111 1111111	D00 // 01 11	1 1104 0		, 12
1	A	Zach had tried his parents and he couldn't get ahold		1	A	I don't know. What does that mean?
2		of them. I really didn't want to call my parents but		2	Q	Like did you go to court regarding the vehicle?
3		I couldn't walk home from Detroit.		3	A	Not me personally.
4	Q	Okay. Then what happened?		4	Q	Okay.
•	Å	My dad was really angry and ended up coming to pick us		5	Å	I went and picked it up but
ø		up.		6	Q	You went to go pick it up?
7	Q	Okay. How do you know he was angry?		7	A	Yes.
8	Å	Because he was shouting at me and didn't even know		8	Q	When did you go to pick it up?
9		what I was talking about when I told bin the car was		9	Á	I couldn't tell you the exact date.
10		impounded and I was like stranded in Detroit. My dad		10	Q	But it was five months after this incident
11		doesn't get mad very easily but he didn't talk to me		11		approximately?
12		for like a couple days after that.		12	A	Yes, approximately.
13	Q	Then what happened?		13	Q	Who went with you to pick it up?
14	Á	Me and Zach drove home with my dad and Brett and Mike		14	A	Me and my dad.
15		stayed at Dustin's.		15	Q	Where did you go to pick it up?
16	Q	So you and Zach went with your dad?		16	A	I think it was somewhere on Jefferson. I don't know
17	Å	Yes.		17		the exact —
18	Q	Did your dad drop Zach off at home?		18	Q	Was it a towing yard?
19	Å	Yes.		19	Å	Yes, but there was a police officer working the front
20	Q	And at some point you had to — strike that.		20		desk so I don't know.
21		At some point your parents were able to		21	Q	You sure it wasn't a police precinct?
22		secure the return of the vehicle?		22	A	It may have been. I'm not sure. I know there was a
23	Å	About five months later.		23		police officer there.
24	Q	Did you have any participation in the return of the		24	Q	Did you go to the Wayne County Prosecutor's Office?
25		vehicle?		25	A	1 don't know.

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1	Q	Did you see your father pay to get the car back?	1	A	Yes.
2	Ä	No.	2		MR. ASHFORD: Off the record.
3	Q	Okay. Did he present the police officer with	3		(Off the record at, or about 2:09 to 2:09
- 4		paperwork to get the car back?	4	- : :	: · · · - <b>p.m.)</b> -: · · · · · · · <del>· . · -</del> · · :
5	Å	He may have. I can't remember.	5	BY MR.	ASHFORD:
6	Q	So you were just kind of tagging along?	6	Q	Ian, in your own words can you tell me how you were
7	A	Yes.	7		damaged or injured by this incident that occurred?
8	Q	Why did you go?	8	Á	It really strained my family because my parents didn't
9	Å	Because we needed someone else to drive the car back.	9		really understand what was going on and they were
10	Q	Okay. Did you appear at the 36th District Court for	10		angry with me for - pretty much until we got the car
1i		the ticket that was issued to you?	11		back. It was my sister's car so she was really angry
12	A	For the loitering?	12		with me and it caused a lat of fighting because we had
13	Q	Yes.	13		to share the car that I would normally use.
14	Á	Yes.	14		It also hurt because I have to use the car to
15	Q	How many times did you appear?	15		get around to serve people to file documents in
16	Ā	Only one that I can think of.	16		Detroit and also to mow lawns. It was just stressful
17	Q	Did you retain an attorney?	17		overall. Also, when I was handenfied the handcuffs
18	Á	Yes,	18		were very tight and it was just really stressful not
19	Q	Who was your attorney?	19		knowing why I was handcuffed and not knowing how long
20	Á	I'm not sure. Was if Michael Steinberg and ACLU?	20		or what was going on.
21	Q	Was that your attorney?	21	Q	Did you see any type of medical professional or mental
22	Å	Yes, I think it was Michael Steinberg.	22		health professional as a result of the incident
23	Q	So you were represented by the ACLU?	23		alleged in the complaint?
24	À	Yes.	24	A	No.
25	Q	And eventually the charge was dismissed against you?	25	Q	Do you know if your parents retained an attorney to
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		2.10 0V 10075 V/11 WII (WII DOC# 04 14	i lica o	4/11/12 1 g 10 01 10 1 g 10 1000
1		get the car back?	1	CERTIFICATE OF NOTARY
2	Å	I think my father was the attorney. I'm not sure	2	STATE OF MICHIGAN )
3		though.	3	COUNTY OF WAYNE )
4		MR. ASHFORD; Okay. Off the record.	4	
		(Off the record at, or about 2:11 to 2:12	5	I, Angel Berry, CSR, and Notary Public in and for
ø		p.m.)	6	the County of Wayne, pertify that this transcript,
7		MR. ASHFORD: I don't have anything further.	7	consisting of 46 pages, is a complete, true, and correct
8		Thank you very much.	8	record of the testimony of Ian Mobley, held in this case on
9		MS. BRUNER-JAMES: Let's just take a quick	9	November 29, 2010.
10		break and then I'll let you know if I have any	10	I also certify that prior to taking this
11		questions,	11	deposition, Ian Mobley was duly sworn to tell the truth.
12		(Off the record at, or about 2:12 to 2:14	12	
13		p.m.)	13	100 1 00 0
14		MS, BRUNER-JAMES: Okay. No questions.	14	12-3-10 Anallee Berry [Date]
15		Thank you,	15	[Date] (Signature)
16		(Matter concluded.)	16	
17			17	
18			18	
19			19	
20			20	
21			21	Angel Lee Berry, CSR-7821
22			22	Notary Fublic, Wayne County, Michigan
23			23	My Commission Expires: April 6, 2012
24			24	
25			25	
		RELIANCE COURT REPORTING (313) 964-3611		RELIANCE COURT REPORTING (313) 964-3611

# EXHIBIT 14

0675 VAR MKMDERGSITION OF JAMES WASHINGTON 10-27-10 UNITED STATES DISTRICT COURT BASTERN DISTRICT OF MICHIGAN APPRARANCES: SOUTHERN DIVISION KATHRYN BRUNER JAMES (P71374) Goodman & Hurwitz, P.C. 1394 E. Jefferson Avenue Detroit, Michigan 48207 (313) 567-6170 IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER, ANGIE WONG, JAMES WASHINGTON, NATHANIEL PRICE, JEROME PRICE. and STEPHANIE HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE, DARLENE DANIEL S. KOROBKIN (P72842) 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 HELLENBERG, THOMAS MAHLER and LAURA MAHLER, Appearing on behalf of Plaintiffs Plaintiffs. -vs-No. 10-10675 10 JERRY L. ASHFORD (F47402) City of Detroit Law Department 660 Woodward Avenue 10 CITY OF DETROIT, VICKI YOST, and DANIEL BUGLO, 11 11 Suite 1650 12 Detroit, Michigan 48226 (313) 237-3089 Defendants. 12 13 13 Appearing on behalf of Defendants 14 The deposition of JAMES WASHINGTON, taken 15 before Reporter LaVerne M. Reinhardt, CSR-2305, Notary 15 16 Public in and for the County of Wayne, State of 17 Michigan, at 1394 E. Jefferson Avenue, Detroit. 17 18 Michigan, on Wednesday, October 27, 2010, commencing at 19 or about the hour of 1:07 p.m. 19 20 21 21 23 23 25 25 RELIANCE COURT REPORTING RELIANCE COURT REPORTING (313) 964-3611 4 1 Detroit, Michigan 2 Wednesday, October 27, 2010 2 I N D B X 3 1:07 p.m. 4 PAGE: 5 MR. ASHFORD: Let the record reflect 01:09PM 6 that this is the deposition of James Washington, Cross Examination by Mr. Ashford 7 taken pursuant to the Federal Rules of Civil Cross Examination by Ms. James 3.8 8 Procedure with Notice to all parties, to be used 9 for any and all purposes allowed under the Federal 10 Rules of Civil Procedure. Off the record for a 01:10PM 10 11 moment. 11 12 (Discussion held off the 12 13 record.) 14 XHIBIT 14 MR. ASHFORD: Good morning, Mr. 15 01:10PM 15 Washington. 16 None 16 THE WITNESS: Good morning, 17 17 MR. ASHFORD: My name is Jerry 18 18 Ashford and I represent the city of Detroit and the 19 19 police officers in this lawsuit that you filed. 20 01:11PM 20 Have you ever given any type of testimony in a 21 21 court proceeding? 22 23 THE WITNESS: No. 24 23 MR. ASHFORD: Have you ever given 24 any type of testimony with a court reporter present 01:11PM 25 inside or out? RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING (313) 964-3611

		5			6
1		THE WITNESS: No.	1		CROSS-EXAMINATION
2		MR. ASHFORD: Okay. Have you seen	2		MR. ASHFORD:
3		people give testimony in a court of law on	3		Please state your full name for the record.
4		television?	4		James William Washington.
11PM 5		THE WITNESS: Yeah.	01:12PM <b>5</b>		And what's your address?
6		MR. ASHFORD: Okay. Well, we have a	6		13887 Mackay, M-a-c-k-a-y.
7		court reporter that's sitting here and she's taking	7		Is that in the city of Detroit?
8		down everything that we say, okay. So I'm going to	8		Yes.
9		need verbal answers to my questions, okay?	9	Q.	How long have you lived at that address?
прм 10		THE WITNESS: Okay.	01:12PM 10	Α.	Fifteen years maybe.
11		MR. ASHFORD: I can tell you like to	11	Q.	Who do you live there with?
12		nod your head but what I'm going to go need are	12	Α.	My father.
13		verbal answers from you, okay?	13	Q.	What's your father's name?
14		THE WITNESS: No problem.	14	Α.	Dannie, D-a-n-n-i-e, Washington.
<sub>2PM</sub> 15		MR. ASHFORD: If I ask you any	D1:12PM 15	Q.	How old is your dad?
16		question you don't understand please let me know	16	Α.	Don't quote me but
17		and I'll rephrase my question until hopefully you	17	Q.	Approximately.
18		do understand. Okay?	18	Α.	Fifty-six.
19		THE WITNESS: Okay.	19	Q.	Okay. Okay. You know his birth day, don't you?
20		JAMES WASHINGTON,	01:12PM 20	A.	2-4-54.
21		having first been duly sworn, to testify to the	21	Q.	That's all that counts. Okay. What's his Social
22		truth, the whole truth and nothing but the truth,	22		Security number? I'm sorry, strike that.
23		was examined and testified on his oath as follows:	23		What's your Social Security
24			24		number?
25			01:13PM 25	Α.	XXX-XX-5785.
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
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	•	7			8
1	Q.	And what's your date of birth?	1		School?
2	Α.	11-2-1980.	2	A.	No.
3	Q.	So you're 29 years old?	3	Q.	Are you currently employed?
4	, A.	Yes. I'll be 30 in a week.	4	Α.	No.
зрм <b>5</b>	Q.	Do you have a Michigan operator's license with you	01:14PM <b>5</b>	Q.	Do you have any specialized training in any
6		today?	6		occupational field?
7	Α.	•	7	Α.	Security.
8	Q.		8	Q.	Are you certified in that field?
9		I have one but it's not in my pocket. I think it's	9		Not in the state.
зрм 10		in the van.	01:14PM 10		So you're not certified by any governmental agency?
11	Q.	An identification card or an operator's license in	11		No.
12		the van?	12		Any type of trade association or organization?
13	Δ.	Identification card.	13	A.	
14		Okay. Where were you born?	14		What kind of training do you have in security?
зем 15	Α.		01:15PM 15		Searches, mostly dealing with student security i
16	Q.		16	- *-	the school setting.
17	Α.	•	17	O.	Where did you receive your training?
18	Q.		18		On the job training with a charter school I work
19		Yes.	19	۲۱.	at.
		What high school did you graduate from?	01:15PM 20	O	What charter school was that?
<sub>4РМ</sub> 20 21	_		21		W.E.B. Dubois Academy.
	Α.		1		
22	Q.	•	22		Was that the last place you worked?
23	Α.		23		Yes.
24	Q.		24	Ų.	What was your end date of employment at the charte
14Рм 25		School, any formal education beyond Northern High	01:15PM 25		school?
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
		(313) 964-3611			(313) 964-3611

			2:10-cv-10675-VAR-MKMPEPD\$\text{TOP W 98 44 MES}		04/	
	1	Α.	9 It was this summer actually, June.	1	Ω	How long dld you work there?
	2		How long did you work there?	2		Teaching martial arts you mean?
	3	_	Five years.	3	Q.	Yes.
;	4	Q.	What was your job title there?	ا ا		I still do it.
04.4544	_	Δ.	Security.	01:17PM <b>5</b>		So it's not a full-time position?
01:15#M	6	Q.	You were a security officer?	01:17PM 5	Α.	No, not at all.
	7	Α.	Yes.	7		
	•			-	Œ.	Prior to your job at the charter school what was
	8 9	Α.	What was your rate of pay there? \$15 an hour.	8 9	А	your previous full-time position?
	-		•	_	Α.	I believe it was for Decker Trucking, truck driving
01:16PM			Why did you leave?	01:18PM 10 11	_	company.
	11	Α.	They laid me off due to budget issues.			Where is that located?
	12		Where did you work before the charter school?	12	_	Riverdale, New Jersey.
	13	Α.	Before then I taught martial arts and did security at various clubs around here.	13	Q. A.	,
	14	_	Which martial art?	14		
01:16PM			7	01:18PM 15	_	You still lived in Detroit?
	16		Martial arts from Africa.	16		Yes.
	17		That's interesting. Did you have your own school?	17		But the headquarters was in New Jersey?
	18		I'm part of a school but it's not per se mine.	18		Yes, in Riverdale.
	19		So you were just an instructor at a school?	19		How long did you work for Decker Trucking?
01:16PM			Yes.	01:18PM 20		A year maybe.
	21		And you are a black belt?	21		What did you do for Decker Trucking?
	22	Α.	African martial arts doesn't have belts so it's not	22		Hauled freight.
	23	_	the same ranking structure but I'm pretty good.	23		So you were a truck driver?
	24		Comparable to a black belt in another martial art?	24		Yes.
01:17PM	25	Α.	You could say that.	01:18PM <b>25</b>	Q.	Why did you leave?
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
<b>-</b> 4,			(313) 964-3611	<b></b>		(313) 964-3611
			11			. 12
	1	Α.	Didn't like being gone from home that much.	. 1	D1/	maybe.
	2	_	So you quit?	2		MR. ASHFORD;
	3 4		Yes.	3	w.	By what police agency?
	_	Q.	How much were you making there when you on your	4		
01:18PM	5					MS. JAMES: Objection, relevancy.
	-		last date of employment?	01:19PM <b>5</b>	DV	THE WITNESS: Detroit.
	6		Thirty-four cents a mile.			THE WITNESS: Detroit. MR. ASHFORD:
	6		<b>Thirty-four cents a mile.</b> Mr. Washington, during your adult life have you	01:18PM <b>5</b> 6 7		THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?
	6 7 8	Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?	01:19PM 5 6 7 8		THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.
	6 7 8 9	Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.	01:18PM 5 6 7 8 9	Q.	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.
01:19PM	6 7 8 9	Q. A.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.	01:18PM 5 6 7 8 9 01:20PM 10	Q. BY	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:
01:19PM	6 7 8 9 10	Q. A. BY	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD:	01:18PM 5 6 7 8 9 01:20PM 10 11	Q. BY Q.	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?
01:19PM	6 7 8 9 10 11	Q. A. BY	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.	01:18PM 5 6 7 8 9 01:20PM 10 11 12	<b>Q.</b> ВҮ <b>Q.</b> <b>A.</b>	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.
01:19PM	6 7 8 9 10 11 12 13	Q. A. BY	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13	<b>Q.</b> ВҮ <b>Q.</b> <b>A.</b>	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County
	6 7 8 9 10 11 12 13	Q. A. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13	<b>Q.</b> ВҮ <b>Q.</b> <b>A.</b>	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County Circuit Court?
01:19PM 01:19PM	6 7 8 9 10 11 12 13 14	Q.  BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD:	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15	<b>Q.</b> ВҮ <b>Q.</b> <b>A.</b>	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County  Circuit Court?  MS. JAMES: Objection, relevance.
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01:19PM	6 7 8 9 10 11 12 13 14 15 16 17 18	Q. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD:  Why?  MS. JAMES: Objection, relevance.  Go ahead.  THE WITNESS: Possession of brass	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15 16 17 18	Q. BY Q. A. Q.	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County  Circuit Court?  MS. JAMES: Objection, relevance.  THE WITNESS: It was at Frank Murphy  Hall of Justice I believe.  MR. ASHFORD:  Besides being in possession of brass knuckles have
	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. BY Q. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD: Why?  MS. JAMES: Objection, relevance. Go ahead.  THE WITNESS: Possession of brass knuckles.	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15 16 17 18 19 01:20PM 20	Q. BY Q. A. Q.	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County  Circuit Court?  MS. JAMES: Objection, relevance.  THE WITNESS: It was at Frank Murphy  Hall of Justice I believe.  MR. ASHFORD:  Besides being in possession of brass knuckles have you ever been arrested for any other criminal
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01:19PM	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. BY Q. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD: Why?  MS. JAMES: Objection, relevance. Go ahead.  THE WITNESS: Possession of brass knuckles.  MR. ASHFORD: When?	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15 16 17 18 19 01:20PM 20 21 22	Q. BY Q. A. Q.	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County Circuit Court?  MS. JAMES: Objection, relevance.  THE WITNESS: It was at Frank Murphy  Hall of Justice I believe.  MR. ASHFORD:  Besides being in possession of brass knuckles have you ever been arrested for any other criminal violation?  No.
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01:19PM	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. BY Q. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD: Why?  MS. JAMES: Objection, relevance. Go ahead.  THE WITNESS: Possession of brass knuckles.  MR. ASHFORD: When?  MS. JAMES: Objection, relevance.  THE WITNESS: I'm not exactly sure	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15 16 17 18 19 01:20PM 20 21 22 23 24	В В Р С С С С С С С С С С С С С С С С С	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County  Circuit Court?  MS. JAMES: Objection, relevance.  THE WITNESS: It was at Frank Murphy  Hall of Justice I believe.  MR. ASHFORD:  Besides being in possession of brass knuckles have you ever been arrested for any other criminal violation?  No.  MS. JAMES: Objection, relevance.  MR. ASHFORD:
01:19PM	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. BY Q. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD: Why?  MS. JAMES: Objection, relevance. Go ahead.  THE WITNESS: Possession of brass knuckles.  MR. ASHFORD: When?  MS. JAMES: Objection, relevance.  THE WITNESS: I'm not exactly sure but three years ago, three and a half years ago	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15 16 17 18 19 01:20PM 20 21 22 23	В В Р С С С С С С С С С С С С С С С С С	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County  Circuit Court?  MS. JAMES: Objection, relevance.  THE WITNESS: It was at Frank Murphy  Hall of Justice I believe.  MR. ASHFORD:  Besides being in possession of brass knuckles have you ever been arrested for any other criminal violation?  No.  MS. JAMES: Objection, relevance.  MR. ASHFORD:  During your adult life have you ever been treated
01:19PM	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. BY Q. BY Q.	Thirty-four cents a mile.  Mr. Washington, during your adult life have you ever been arrested for a crime?  Yes.  MS. JAMES: Objection.  MR. ASHFORD: Go ahead.  MS. JAMES: Go ahead.  THE WITNESS: Yes.  MR. ASHFORD: Why?  MS. JAMES: Objection, relevance. Go ahead.  THE WITNESS: Possession of brass knuckles.  MR. ASHFORD: When?  MS. JAMES: Objection, relevance.  THE WITNESS: I'm not exactly sure	01:18PM 5 6 7 8 9 01:20PM 10 11 12 13 14 01:20PM 15 16 17 18 19 01:20PM 20 21 22 23 24	В В Р С С С С С С С С С С С С С С С С С	THE WITNESS: Detroit.  MR. ASHFORD:  Were you convicted of that crime?  MS. JAMES: Objection, relevance.  THE WITNESS: I took a plea, yes.  MR. ASHFORD:  You pled guilty?  Yes.  Was that 36th District Court or Wayne County  Circuit Court?  MS. JAMES: Objection, relevance.  THE WITNESS: It was at Frank Murphy  Hall of Justice I believe.  MR. ASHFORD:  Besides being in possession of brass knuckles have you ever been arrested for any other criminal violation?  No.  MS. JAMES: Objection, relevance.  MR. ASHFORD:

			2:10-cv-10675-VAR-MKMPERDSHOW OF 4AMES	11100	ר/אני	<del> 7//12                                   </del>
	1		for substance abuse?	1	0	So on the date alleged in your Complaint against
	2			2	ω.	the police officers you did enter the Contemporary
	3		MS. JAMES: Objection, relevance, THE WITNESS: No.	3		Art Institute of Detroit?
, .		DV	***************************************	4	Α	Yes.
	4 5		MR. ASHFORD:	1 _		
)1:zv=M	_	ω.	During your adult life have you ever been treated	01:22PM 5	Q.	
	6		for any psychiatric, psychological or mental health	6		Yes.
	7		problem?	'		How much?
	8		MS. JAMES: Objection, relevance.	8	Α.	I'm not exactly sure but I believe it was in the
	9		THE WITNESS: No.	9	_	area of \$2 maybe.
01:20PM			MR. ASHFORD:	01:22PM 10	Q.	Did anyone indicate to you strlke that.
	11	Q.	Are you now or have you ever been a member of the	11	_	Had you ever been there before?
	12	_	Contemporary Art Institute of Detroit?	12		No, I had never been there before.
	13		No.	13	Q.	Did anyone indicate to you that by payment of your
	14	Q.	Now my understanding is that when you go to one of	14		fee you were becoming a member of the Contemporary
01:21PM <sup>*</sup>			these parties that as part of your admission you	01:22РМ 15		Art Institute of Detroit?
	16		become a member of the Contemporary Art Institute	16		No.
	17		of Detroit. Do you know anything about that?	17	Q.	Did anyone indicate to you that this was a members
	18	Α.	No, I wouldn't know anything about that.	18		only event?
	19	Q.	You were at Contemporary Art Institute of Detroit	19	Α.	It was indicated that it was private. But not per
01:21PM	20		on May 31, 2008, correct?	01:22PM 20		se members only.
	21	Α.	Is that the date that the police came in?	21	Q.	What did that mean to you that it was private?
;	22	Q.	She can't really answer.	22	Α.	It's not open to the public.
	23	Α.	Well, I'm asking because I don't want to say yes to	23	Q.	Did you have to fill out any paperwork, your name,
:	24		something I'm not sure of but yes, I believe if the	24		address or e-mail address or anything like that to
1:21PM	25		dates match.	01:23PM 25		become did you have to provide any of that to
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
			(313) 964-3611			(313) 964-3611
-			15			16
	1		the Contemporary Art Institute of Detroit on that	1	A.	At the time I believe it was Metro PCS but I'm not
	2		night?	2		exactly sure.
	3	Α.	I'm not exactly sure. I think we may have signed	3	Q.	On May 31st of 2008 did you own a car?
	4		in coming in but nothing asking your name and	4	Α.	No.
01:23PM	5		information.	01:24PM <b>5</b>	Q.	And strike that.
	6	_	If you had to sign in what did you have to sign in?	۸ ا		Did duite be ble
	•	Q.	If you had to sign in what did you have to sign in?	6		Did you drive to the
	7	Q. A.	•	7		Contemporary Art Institute of Detroit on May 31,
		_	•			,
	7	Α.	Maybe just contact e-mail or phone number,	7	Α.	Contemporary Art Institute of Detroit on May 31,
01;23PM <sup>*</sup>	7 8 9	Α.	Maybe just contact e-mail or phone number, something like that.	7 8		Contemporary Art Institute of Detroit on May 31, 2008?
	7 8 9	Α.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?	7 8 9	Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.
,	7 8 9 10	A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?	7 8 9 01:24PM 10	Q. A.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.  You were a passenger in a vehicle?
,	7 8 9 10	A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.	7 8 9 01:24PM 10 11	Q. A.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.  You were a passenger in a vehicle?  Yes, correct.
,	7 8 9 10 11	A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.	7 8 9 01:24PM 10 11 12	Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.  You were a passenger in a vehicle?  Yes, correct.  Who was driving the vehicle that you were a
,	7 8 9 10 11 12 13	A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008  dld you know any of the employees or volunteers who	7 8 9 01:24PM 10 11 12 13	Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.  You were a passenger in a vehicle?  Yes, correct.  Who was driving the vehicle that you were a passenger in?  A friend that invited me to the event.
, , , , ,	7 8 9 10 11 12 13	A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008	7 8 9 o1:24PM 10 11 12 13	Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.  You were a passenger in a vehicle?  Yes, correct.  Who was driving the vehicle that you were a passenger in?  A friend that invited me to the event.  What's the name of your friend?
, , , , , ,	7 8 9 10 11 12 13 14 15	A. Q. A. Q.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 did you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15	Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells.
, , , , , ,	7 8 9 10 11 12 13 14 15 16	A. Q. A. Q.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 did you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15	Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't.  You were a passenger in a vehicle?  Yes, correct.  Who was driving the vehicle that you were a passenger in?  A friend that invited me to the event.  What's the name of your friend?  Joy Wells.  How old is Joy?
, , , , , , , ,	7 8 9 10 11 12 13 14 15 16 17	A. Q. A. Q.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008  dld you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17	Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the
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)1:23PM '	7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Q. A. Q. A. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 did you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?  Yes.  Have you discussed this incident alleged in your	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17 18 19 01:25PM 20	Q. A. Q. A. Q. A.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the area of 23. How did you know Joy?
)1:23PM	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Q. A. Q. A. Q. A. Q.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 did you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?  Yes.  Have you discussed this incident alleged in your incident on your Facebook page?	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17 18 19 01:25PM 20 21	Q. A. Q. A. Q. A. Q. A.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the area of 23. How did you know Joy? She was a friend.
01:23PM	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Q. A. Q. A. Q. A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 dld you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?  Yes.  Have you discussed this incident alleged in your incident on your Facebook page?  No.	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17 18 19 01:25PM 20 21 22	Q. A. Q. A. Q. A. Q. A.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the area of 23. How did you know Joy? She was a friend. Was there anyone else in the car besides you and
01:23PM	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Q. A. Q. A. Q. A. Q.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 dld you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?  Yes.  Have you discussed this incident alleged in your incident on your Facebook page?  No.  On May 31, 2008, did you have a cell phone?	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17 18 19 01:25PM 20 21 22 23	Q. A. Q. A. Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the area of 23. How did you know Joy? She was a friend. Was there anyone else in the car besides you and Joy?
01:23PM	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Q. A. Q. A. Q. A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 did you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?  Yes.  Have you discussed this incident alleged in your incident on your Facebook page?  No.  On May 31, 2008, did you have a cell phone?  Yes.	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17 18 19 01:25PM 20 21 22 23 24	Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the area of 23. How did you know Joy? She was a friend. Was there anyone else in the car besides you and Joy? No.
01:23PM	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Q. A. Q. A. Q. A. Q. A.	Maybe just contact e-mail or phone number, something like that.  Had you ever been to the Contemporary Art Institute of Detroit website?  No.  Have you strike that.  Did you on May 31st of 2008 dld you know any of the employees or volunteers who worked at the Contemporary Art Institute of Detroit?  No.  Do you have a Facebook page?  Yes.  Have you discussed this incident alleged in your incident on your Facebook page?  No.  On May 31, 2008, did you have a cell phone?	7 8 9 01:24PM 10 11 12 13 14 01:24PM 15 16 17 18 19 01:25PM 20 21 22 23	Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q.	Contemporary Art Institute of Detroit on May 31, 2008?  No, I didn't. You were a passenger in a vehicle? Yes, correct. Who was driving the vehicle that you were a passenger in? A friend that invited me to the event. What's the name of your friend? Joy Wells. How old is Joy? I'm not exactly sure but I belief she was in the area of 23. How did you know Joy? She was a friend. Was there anyone else in the car besides you and Joy?

			2:10-cv-10675-VAR-MKMPPPSUTONOS 4AMES	I IICU	<del>'04/</del> '	<del>17/12 Pg 6 of 12 Pg ID 1995</del>
	1	٨	Approximately a year prior.	1		of Detroit?
	2	_	Do you know if Joy had ever been to a Contemporary	2	Λ	She parked on Rosa Parks.
	3	ω,	Art Institute of Detroit event?	3		How far from the building?
i	4	Δ	I wouldn't know for certain.	4		Guesstimate, 75 feet maybe.
01:20c	Ė	_	Did she ever tell you that?	01:27PM <b>5</b>		Then what happened?
01:200	-w 5 6	Α.		6 K	Δ.	And then we went in.
	7	Q.	Where were you coming from?	7	U.	Was there a line?
	8	Α.	Her house.	8	-	Not outside the building but right inside the door.
	9	Q.	Where did she live?	9	Q.	
01:26F	РМ 10		Last time I spoke with her then it was in the area	01:27PM 10	Α.	
	11		of Schaefer and Lyndon.	11	Q.	Was the area well lit going into the building?
	12	Q.	Who suggested that you go to the party?	12	Α.	
	13	A.		13	Q.	Was there lighting?
	14	Q.	Did she indicate to you how she knew about the	14	A.	Small.
01:26F	Рм 15		party?	01:27PM 15	Q.	So what happened after you entered the building?
	16	Α.	No, she didn't.	16	A.	Listened to some music for a while.
	17	Q.	So what happened after she suggested that you go to	17	Q.	How were you dressed?
	18		the party?	18		Nice jeans, nice shirt, nice shoes, pretty
	19	A.	We went.	19		expensive stuff.
01:26F	<sub>РМ</sub> 20	Q.	What kind of vehicle was she driving?	01:28PM 20	Q.	What color was your shirt?
	21	A.	A Volvo.	21	A.	White. White with stripes.
	22	Q.	Was it taken by the police that night?	22	Q.	White with stripes?
	23	A.	Yes, it was.	23	A.	Yes.
	24	Q.	Okay. Where did you park once you arrived at the	24	Q.	What kind of shoes did you have on?
01:27F	рм 25		Contemporary Art Institute of Detroit in the city	01:28PM 25	Α.	I think I had on my DKNY.
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J			(313) 964-3611			(313) 964-3611
<u>`</u> .			19			20
	1	Q.	What kind of shoes are those?	1		I don't recall.
	2	Α.	Designer shoes.	2	Q.	Once you entered the Contemporary Art Institute of
	3	Q,	Okay. I'm not really asking you what brand they	3		Detroit did'you see anyone selling alcohol?
			are, I'm really asking you like are they gym shoes,	1	Α.	No.
01:26P			are they loafers, like what kind of shoes?	01:30PM 5	_	Or intoxicating liquor?  Not that I remember.
	6	Α.	No, they were more casual type of shoes. I don't	6	A. Q.	
	7	^	know exactly what you'd call them.	8	Α.	·
	8 9	Œ.	When you entered the Contemporary Art Institute of Detroit was there anyone standing at the door	9	Q.	
	9 10 №			01:30PM 10	Α.	
υ1;29P	<sub>РМ</sub> 10	Δ	taking money?  A couple of people.	11 to		Did you see anyone in possession of any
	12	_	And they took your money?	1 ''	-34.	are you goo anyone in possession of any
	- 4	(.)		19		intoxicating liquor or beer or anything like that?
	13	Q. A		12 13	Δ	intoxicating liquor or beer or anything like that?  Yeah, T saw a couple people with beer.
	13 14	A.	Yes.	13		Yeah, I saw a couple people with beer.
04.00	14	A. Q.	Yes. And you believe it was \$2?	13 14	Q.	<b>Yeah, I saw a couple people with beer.</b> Were they bottles of beer or cups?
01;29F	14 <sub>Рм</sub> 15	A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was.	13	Q. A.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups.
01;29F	14	A. Q.	Yes. And you believe it was \$2?	13 14 01:30PM 15	Q. A.	<b>Yeah, I saw a couple people with beer.</b> Were they bottles of beer or cups?
'01:29F	14 <sub>Рм</sub> 15 16 17	A. Q. A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes.	13 14 01:30PM 15 16	Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art
'01:29F	14 15 16 17 18	A. Q. A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have?	13 14 01:30PM 15 16 17 18	Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30.
	14 15 16 17 18 19	A. Q. A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have? I believe it was my state identification.	13 14 01:30PM 15 16 17	Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit?
	14 15 16 17 18 19	A. Q. A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have?	13 14 01:30PM 15 16 17 18 19	Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30. Is it fair to say you were there approximately an hour and 45 minutes to two hours before the Detroit
	14 15 16 17 18 19	A. Q. A. Q. A. Q.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have? I believe it was my state identification. Did they give you anything indicating that you were over 21?	13 14 01:30PM 15 16 17 18 19 01:31PM 20	Q. A. Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30. Is it fair to say you were there approximately an
01:29F	14 15 16 17 18 19 PM 20 21	A. Q. A. Q. A. Q.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have? I believe it was my state identification. Did they give you anything indicating that you were	13 14 01:30PM 15 16 17 18 19 01:31PM 20 21	Q. A. Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30. Is it fair to say you were there approximately an hour and 45 minutes to two hours before the Detroit police officers came into the building?
	14 15 16 17 18 19 20 21 22	A. Q. A. Q. A. Q.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have? I believe it was my state identification. Did they give you anything indicating that you were over 21? I believe I got a wristband. I'm not 100 percent sure but I think it was a wristband, it was	13 14 01:30PM 15 16 17 18 19 01:31PM 20 21 22	Q. A. Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30. Is it fair to say you were there approximately an hour and 45 minutes to two hours before the Detroit police officers came into the building? That would be a decent time-frame.
01:29F	14 15 16 17 18 19 20 21 22	A. Q. A. Q. A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have? I believe it was my state identification. Did they give you anything indicating that you were over 21? I believe I got a wristband. I'm not 100 percent	13 14 01:30PM 15 16 17 18 19 01:31PM 20 21 22 23	Q. A. Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30. Is it fair to say you were there approximately an hour and 45 minutes to two hours before the Detroit police officers came into the building? That would be a decent time-frame. During that time-frame did you see any use of drugs
01:29F	14 15 16 17 18 19 20 21 22 23 24	A. Q. A. Q. A. Q. A.	Yes. And you believe it was \$2? I'm not exactly sure but I believe it was. Did they check your identification? Yes. Okay. What kind of identification did you have? I believe it was my state identification. Did they give you anything indicating that you were over 21? I believe I got a wristband. I'm not 100 percent sure but I think it was a wristband, it was something of that nature.	13 14 01:30PM 15 16 17 18 19 01:31PM 20 21 22 23 24	Q. A. Q. A. Q.	Yeah, I saw a couple people with beer. Were they bottles of beer or cups? Cups. What time did you enter the Contemporary Art Institute of Detroit? Around 12:30. Is it fair to say you were there approximately an hour and 45 minutes to two hours before the Detroit police officers came into the building? That would be a decent time-frame. During that time-frame did you see any use of drugs inside the Contemporary Art Institute of Detroit?

4		MC JAMEC: Objection on to		_	22
1		MS. JAMES: Objection as to	1	Q.	
2	D.V	foundation.	2		you and Joy, and you walked to the back room?
3		MR. ASHFORD:	3.	_	Yes.
4	Q.	, , , , , , , , , , , , , , , , , , ,	4	Q.	Okay. Did you stop anywhere on your way to this
1PM 5		minutes to two hours that you were inside the	01:33PM 5		room?
6		C.A.I.D., did you see anyone without a wristband on	6	Α.	No, we proceeded straight to the DJ area.
7		who was drinking any intoxicating liquor?	7	Q.	Okay. Was the DJ playing music?
8	Α.	No.	8	Α.	Yes, he was.
9	Q.	Did you see anyone selling any intoxicating liquor	9	Q.	Were people dancing?
2РМ 10		during the entire time period that you were inside	01:33PM 10	Α.	A couple.
11		the C.A.I.D.?	11	Q.	Did you dance at all?
12		MS. JAMES: Objection as to form.	12	Α.	A little.
13		He's already answered that.	13	Q.	How long were you in that room would you say,
14		THE WITNESS: No.	14		approximately?
<sub>2PM</sub> 15	BY	MR. ASHFORD:	01:33PM 15	Α.	Fifteen, maybe 20 minutes.
16	Q.	What did you do after you entered the Contemporary	16	Q.	And then what did you do?
17		Art Institute of Detroit?	17	Α.	We exited the building to the courtyard.
18	Α.	We listened to music for a while.	18	Q.	Then what happened?
19	Q.	Did you just stand at the door and listen to music?	19	Α.	Sat in the courtyard.
2РМ 20	A.	No, we stood around the DJ booth and dance floor	01:34PM 20	Q.	Okay. And is that where you were until the Detroit
21		area.	21		police officers came into the building?
22	Q.	My understanding is when you walk in and make a	22	A.	Correct.
23		left there's a back room with a DJ in it, is that	23	Q.	Okay. So tell me about that, what happened when
24		true?	24		the Detroit police officers came into the building?
зрм 25	Α.	Seems to be correct, yes.	01:34PM 25	Α.	I don't know about when they came into the buildi
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		23	· · · · · · · · · · · · · · · · · · ·		24
1		because I was out in the courtyard but they exited	1	Q.	Did any of the uniforms they were wearing have the
2		the building, we didn't know they were police, they	2		word "police" emblazoned across the chest or the
3		had black on, shotguns with lights attached to them	3		back?
4		so you really couldn't see.	4	Α.	It was difficult to see because they had
4PM 5	Q.	Now you're saying that when they exited the	01:36PM <b>5</b>		flashlights attached to a shotgun which was
6	٠.	building, you mean into the courtyard?	6		promptly stuck right in front of your face so it
7	A.		7		was difficult to see but I didn't see anything
8	Q.	And this courtyard was a fenced in area?	8		initially that said police.
9	Α.	Correct.	9	Q.	And did you hear the police officers shouting to
4PM 10		When the police officers came out into the	01:36PM 10	Œ.	get to the ground?
	Œ.	courtyard did they announce that they were police	01:36PM 10		
11		, , ,	12	Α.	I heard them yelling to people to lay on the
12	٨	officers?		0	ground, yes.
13	Α.	Not that I could hear.	13	Q.	Okay. Did they tell you to lay on the ground?
14	Q.	Was there a lot of shouting going on?	14	Α.	Yes.
5PM 15	Α.	It was a lot of shouting going on.	01:36PM 15	Q.	Okay. Did you lay on the ground?
16	Q.	How were the police officers dressed?	16	Α.	Not initially.
17	Α.	Black ski masks, black uniforms, black boots, black	17	Q.	Why not?
18		gloves. You couldn't see anything but just their	18	Α.	Because I didn't know who they were.
19		eyes.	19	Q.	Okay. They were armed with guns, right?
БРМ <b>20</b>	Q.	And so their entire faces were not obscured?	01:36PM <b>20</b>	Α.	With shotguns, yes.
21	Α.	All but their eyes.	21	Q.	So why didn't you follow the directions of somebody
22	Q.	Okay. Were their foreheads obscured?	22		who was armed with a shotgun telling you to get
23	A.	Yes, their foreheads were covered with the mask.	23		down on the ground?
24	Q.	So you could not see any of their face?	24	A.	I didn't know I had to.
5рм 25	A.	Except their eyes.	01:37PM <b>25</b>	Q.	Okay, then what happened?
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING

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			25	l .		26
	1	Α.	• • • • • • • • • • • • • • • • • • • •	1	Q.	the state of the s
	2		threw them in the ground. Throwing them in the mud	2	Α.	After several times of being searched and face
	3	_	actually, the ground was quite muddy.	3		pushed in the mud and things of that nature then
4	4	Q.	Then what happened?	4		eventually we were brought into the building.
01:37PM		Α.	Then certain people that wouldn't move fast enough	01:38PM 5	Q.	Okay, did anyone kick you?
	6		they got thrown in the mud.	6	Α.	Yes.
	7	Q.	Okay. What happened with you?	7	Q.	Who kicked you?
	8	Α.	I was they told me to lay in the mud and I had	8	Α.	It was one of the Detroit Police. They would come
	9		on good clothes so I didn't move fast enough so	9		past, put their knee in your back, search you, step
.01:37PM	10		they threw me in the mud.	01:39PM 10		on you. I was kicked actually later but during the
	11	Q.	When you say they, who are they?	11		incident when we were outside I was searched
	12	Α.	Some of the Detroit Police, I don't know who they	12		repeatedly, face pushed in the mud, knees placed in
	13		were.	13		my back while they searched me multiple times by
	14	Q.	You couldn't identify any of the police officers	14		different officers.
01;37PM	15		that threw you into the mud?	01:39PM 15	Q.	And eventually they brought you inside the
	16	A.	No, they had on masks so I couldn't identify them.	16		bullding?
	17	Q.	You couldn't see a badge or anything like that?	17	A.	Yes.
	18	A.	No, they didn't have badges out.	18	Q.	Okay. Then what happened?
<u> </u>	19	Q.	Then what happened?	19	A.	They placed us facing the wall on our hands I
01:38PM	20	A.	Then I observed them stomped and punched a few	01:39PM 20		mean on our knees with our hands behind our head,
	21		people, handcuffed two people that I know of and	21		fingers interlocked and you had to cross your
	22		they pretty much proceeded to search everyone while	22		ankles and they made everybody line up in rows with
	23		they were on the ground in the mud. Push you in	23		your knees touching the person's feet in front of
	24		the mud, put a knee in your back and search you	24		you and they lined you up in rows like that facing
01:38PM	25		repeatedly.	01:39PM 25		the wall.
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
			(313) 964-3611			(313) 964-3611
<u></u>			27			28
i	1	Q.	Okay, then what happened?	1	Α.	Not that I saw but I saw him get hit in his back.
	2	Α.	And then we stayed like that for a good amount of	2	Q.	Did they kick him?
	3		time, I'm not exactly sure how long, maybe in	3	Α.	Yes.
	4		excess of an hour.	4	Q.	Since this incident have you spoken to this person?
01:39PM	5	Q.	Then what happened?	01:41PM 5	Α.	Not personally but I've been in the same room with
	6	Α.	At a certain point my knees began to hurt then I	6		him since then once.
	7		uncrossed my legs and a police officer walked ever,	7	Q.	Where?
	8		kicked me in the legs and told me to cross my legs	8	Α.	Here.
	9		back again, and that happened with various people	9	Q.	At your attorney's office?
01:40PM	10		at different times.	01;41PM 10	A.	Yes.
	11	Q.	Okay. Can you recognize any of these other	11	Q.	What other person do you remember being assaulted?
	12		individuals that were kicked or hit by the Detroit	12	Α.	I'm not sure but I believe his name is Jason. When
	13		police officers?	13		the police came in he didn't lie on the ground, he
	14	A.	Two that I remember for sure out in the courtyard	14		asked to see their badges repeatedly and then they
01:40₽M	15		that was, they caught a good deal of the kicking	01:41PM 15		threw him to the ground and began kicking and
	16		and things.	16		stomping him and then placed him in handcuffs.
	17	Q.	Can you describe these individuals?	17	Q.	Have you seen Jason since the Incident of May 31,
	18	Α.	One was a white male, he said that he was an	18		2008?
	19		attorney.	19	A.	
01:40PM		Q.	What happened to him?	01:42PM 20		gentleman.
	21	Α.	They beat him up.	21	Q.	At your attorney's office, correct?
	22	Q.	How did they beat him up?	22	Α.	Yes.
[	23	Α.	That threw him to the ground, stomped him, you	23	Q.	Did you personally discuss your case or the
	24		know, a few punches then they handcuffed.	24		incident of May 31, 2008 with Jason?
01:40PM		Q.	Did they hit him in the face?	01:42PM 25		MS. JAMES: Objection, I would
		-	RELIANCE COURT REPORTING			- · ·
			(313) 964-3611			
		•	RELIANCE COURT REPORTING			RELIANCE COURT REPORTING (313) 964-3611

		2:10-cv-10675-VAR-MKMPEPDSTIP) 498 424 15	NA BHINGT	<b>%</b> 4/	<del>1<sup>97</sup>/102 Pg 9 of 12 Pg ID 1998</del>
1		advise that any conversations that took place in	1	BY	MR. ASHFORD:
2		this office are protected by attorney-client	2		Have you ever spoke to this white male attorney
3		privilege,	3		outside the presence of your attorney?
4		MR. ASHFORD: Well, I'm not asking	4	Α.	No.
:42PM <b>5</b>		him for any communication between yourself and him,	01:43PM 5		
6		I'm asking for communication between him and Jason.	6	ω.	of your attorney?
7		MS. JAMES: But as co-plaintiffs in	7	Α.	•
8		this lawsuit, if there was communication in the	8	۸.	MR. ASHFORD: And you're instructing
9		context of a meeting with their attorneys I believe	9		him not to answer whether he spoke to this white
1:42PM 10		that may be a privileged communication.	01:44PM 10		'
11		· · · · ·	11		male attorney or Jason in the presence of
12		MR. ASHFORD: So are you instructing	12		attorneys, correct?
13		him not to answer?	13		MS. JAMES: Can we go off the record
	ВV	MS. JAMES: Yeah.			for a second?
14		MR. ASHFORD:	14		MR. ASHFORD: Sure,
1:43PM 15	Q.	And I have the same question for the attorney that	01:44PM 15		(Discussion held off the
16		you also saw here, did you have any did you	16		record.)
17		discuss what happened to you personally concerning	17		MS. JAMES: Back on the record.
18		the incident alleged in your Complaint the last	18		I've advised Mr. Ashford and Mr. Washington that
19		time you saw him?	19		Mr. Washington can answer yes or no whether or not
1:43PM <b>20</b>		MS. JAMES: I would have the same	01:45PM 20		he's personally spoke to the two people who he has
21		objection and the same instruction but I think,	21		described, the white male attorney and Jason, just
22		Jerry, that it would be fair to ask him if they had	22		a yes or no as to whether or not he has personally
23		any personal communications that attorneys were not	23		spoken to them; however, I do object and advise him
24		present, if they spoke to one another.	24		not to answer as to the substance of those
1:43PM <b>25</b>			01:45PM 25		conversations because I believe that would invade
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
		(313) 964-3611			(313) 964-3611
		31			32
1		the attorney-client privilege.	1	Q.	Okay. Then what happened?
2	BY	MR. ASHFORD:	2	Α.	Then we were individually called up and given a
3	Q.	Mr. Washington, did you speak to Jason on the last	3		ticket I believe it was. Our property was taken
4		date you saw him?	4		and they pretty much gave us the ticket.
1:45PM <b>5</b>	Α.	Yes.	01:47PM <b>5</b>	Q.	Then what happened?
6	Q.	Did you personally speak with this white male	6	Α.	Then we were sent back to where we were until the
7		attorney that you described to me on the last date	7		finished and decided to release us.
8		you saw him?	8	Q.	Did you get your property back?
9	A.	·	9	Α.	
1:46PM 10	Q.	Inside the Contemporary Art Institute of Detroit	01:47PM 10		
11		did you strike that.	11		Around 5 a.m., I'm not exactly sure of the time.
12		Inside the Contemporary Art	12	, ,,	It was around five.
13		Institute of Detroit can you identify anyone who	13	O	When you entered into the Contemporary Art
14		was kicked or punched or otherwise assaulted by	14		Institute of Detroit did you see a liquor license?
14 1:46PM 15		Detroit police officers?	01:48PM 15		MS. JAMES: Objection as to
1:46PM 15 16	٨	·	01:48PM 15		foundation.
	_	Not to my recollection.	17		
17	Q.	, , , , , , , , , , , , , , , , , , , ,		DV	THE WITNESS: I didn't look.
18		inside the building, correct?	18	_	MR. ASHFORD:
19	Α.	Yes.	19	Q.	
и:46РМ 20	Q.	Okay, and what happened as a result of you being	D1:48PM 20	Α.	
21	_	kicked?	21		bar or something of that nature so I wasn't I
	Α.	I didn't need medical attention but there was pain	22		didn't take it it was my responsibility to look.
22		of course and pain from his boot hitting my leg and	23	Q.	Did you know if on May 31, 2008, if the
22					
		pain from kneeling on a hard wood floor for so	24		Contemporary Art Institute of Detroit had a state
23		pain from kneeling on a hard wood floor for so long.	01:48PM 25		of Michigan liquor license?
23 24					

			33			34
	1	A.	I wouldn't have any idea about that.	1		THE WITNESS: I didn't look,
	2	Q.	When you entered into the Contemporary Art	2		wouldn't have known if they had one or not.
	3		Institute of Detroit on May 31st of 2008 off the	3	BY	MR. ASHFORD:
£**	4		record for a minute.	4	Q.	Did you ever appear in court on that ticket that
-{ Olisaaa	. 5		(Discussion held off the	01:50PM 5		you received?
	6		record.)	6	Α.	Yes.
	7		MR. ASHFORD: Back on the record.	7	Q.	Who represented you?
	8	BY I	MR. ASHFORD:	8	Α.	
	9	Q.	On May 31, 2008 when you entered into the	9	Q.	
01:49PM	л <b>10</b>		Contemporary Art Institute of Detroit did you see a	01:60PM 10	Α.	
	11		dance permit issued by the city of Detroit?	11	Q.	36th District Court?
	12		MS. JAMES: Objection as to	12	Α.	Yes.
	13		foundation.	13	Q.	What kind of proceeding did you appear at?
	14		THE WITNESS: No, I didn't see one,	14	Α.	, , , , , ,
01:49PM	15		I didn't look.	01:50PM 15		I'm not an attorney but I think it was arraignment
•	16	ву і	MR. ASHFORD:	16		on the ticket.
	17	Q.		17	Q.	
	18		Detroit had a city of Detroit dance permit?	18	Α.	
	19	Α.	I wouldn't have had any idea, it was my first time	19	Q.	
01:49 <b>PN</b>			there.	01:50PM 20		MS. JAMES: Objection as to
01210176	21	a.	On May 31, 2008 when you entered into the	21		foundation.
	22	٠.	Contemporary Art Institute of Detroit did you see a	22	BY	MR. ASHFORD:
	23		city of Detroit business license?	23		You signed the Advice of Rights form?
	24		MS. JAMES: Objection, lack of	24		I did.
01:50PM			foundation.	01:51PM 25		And the judge told you about any penalties that
01.00FW			RELIANCE COURT REPORTING	0).51FM <b>20</b>	٠.	RELIANCE COURT REPORTING
			(313) 964-3611			(313) 964-3611
(			35			36
	1		could result from the charge, correct?	1	Q.	
	2	Δ	That I don't exactly remember. I just was advised	2	٠.	not had anything else, taken any other action
	3		as to what they were charging me with and to come	3		related to the incident that occurred on May 31,
	4		back.	4		2008, correct?
01:51PM	5	Q.	But you never had to go back?	01:52PM 5	Α.	Correct.
	6	Α.	No.	6	Q.	
	7	Q.	Why not?	7		Michigan or any type of governmental agency
	8	Α.	Because the ticket was dismissed.	8		concerning the police action on May 31, 2008?
	9.	Q.	From your understanding, could the city of Detroit	9	Α.	- ,
01:51PN	-		reinstate the charges against you if it wanted to?	01:52PM 10	Q.	
	11		MS. JAMES: Objection as to	11		Police Department?
	12		foundation.	12		MS. JAMES: Objection as to form,
	13		THE WITNESS: I wouldn't know.	13		THE WITNESS: I didn't file anything
	14	BY I	MR. ASHFORD:	14		with the Detroit Police Department.
01:51PM			So since that day besides speaking with your	01:63РМ 15	BY	MR. ASHFORD:
	16	٠.	attorneys here today you haven't had anything to do	16		Why not?
	17		with the incident alleged in your Complaint, is	17	Α.	
	18		that true?	18		I take a break?
	10		What exactly do you mean?	19		(Recess taken.)
		Α	•	01:59PM 20		MR. ASHFORD: Back on the record.
11:52PM	19		Well, have you had any you didn't have a vehicle			
01:52PM	19 20		Well, have you had any you didn't have a vehicle to recover, right?		BY	MR. ASHFORD:
01:52PN	19 20 21	Q.	to recover, right?	21		MR. ASHFORD:  Mr. Washington, did you suffer any physical
01:52P <i>N</i>	19 20 21 22	Q. A.	to recover, right? No, I didn't.	21 22		Mr. Washington, did you suffer any physical
01:52PM	19 20 21 22 23	Q.	to recover, right?  No, I didn't.  Did you ever go back to the Contemporary Art	21 22 23		Mr. Washington, did you suffer any physical injuries as a result of the police action in the
01:52PN	19 20 21 22 23 24	Q. A.	to recover, right?  No, I didn't.  Did you ever go back to the Contemporary Art  Institute of Detroit?	21 22 23 24		Mr. Washington, did you suffer any physical injuries as a result of the police action in the Contemporary Art Institute of Detrolt on May 31,
01:52PM	19 20 21 22 23 24	Q. A. Q.	to recover, right?  No, I didn't.  Did you ever go back to the Contemporary Art	21 22 23		Mr. Washington, did you suffer any physical injuries as a result of the police action in the

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			2:10 cv 10675 VAR MKM DEPOSITION 051 AMES	<del>  Filed (</del>	<del>)'4/ 1</del>	*## Pg 11 of 12 Pg ID 2000 38
	1	Α.	I didn't need medical attention but there was	1	Q.	Okay, so you still will have a night life outside
:	2		certainly pain.	2		of the city of Detroit?
;	3	Q.	Okay, but did you seek any medical treatment?	3	A.	Perhaps. There's always wondering if the same
•	4	A.	No, I didn't seek medical attention from a	4		thing will happen perhaps in any other city.
11.00.101	5		professional.	02:01PM 5	Q.	So during the last this incident occurred about
(	6	Q.	Okay. As a result of the police action that	6		two years ago, right?
	7		occurred in the Contemporary Art Institute of	7	Α.	Around it.
	8		Detroit on May 31st of 2008, have you suffered any	8	Q.	What has your night life been like since then?
,	9		damages that we have not discussed here today?	9	Α.	I haven't had one, I rather stay home and read a
1:59PM 10	0	A.	You mean what do you mean damages? Broad	02:01PM 10		book or something.
1	1		statement.	11	Q.	Any other damages or injuries stemming from this
1:	2	Q.	Well, it's intended to be broad so that you can	12		incident alleged in your Complaint that occurred to
1:		·	tell me anything that you want as far as any	13		you that we have not discussed here today?
14			damages or injuries that you suffered or losses	14	Α.	·
2:00PM <b>1</b>			that you suffered from the police action that	02:01PM 15		MR. ASHFORD: I have nothing
10			occurred in the C.A.I.D. on May 31, 2008.	16		further.
17	_	Α.	I have no physical lasting injuries but	17		CROSS EXAMINATION
18			psychologically I don't go out anymore because I	18	RV I	MS. JAMES:
19			don't know if the police will come in and do the	19	Q.	
2:00PM <b>2</b> (			same thing. So I don't really go anywhere anymore.	02:01PM 20	w.	that when the police arrived at the C.A.I.D. there
2°			_ , _ ,	02:01PM 2:0		·
			Night life I mean. I don't go anywhere in the	1		was a lot of shouting. Can you tell me who was
22	_	_	evening or at night to events.	22		shouting?
2:		Q.	Okay, Is that just in the city of Detroit or	23	Α.	
24			anyplace?	24	_	people to get on the ground.
2:00РМ 2	5	Α.	Yeah, that's pretty much here in Detroit.	02:02PM 25	Q.	Do you recall whether any civillans were shouting?
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
·			(313) 964-3611			(313) 964-3611
			39	,		40
		Α.	Not to my recollection but it was only the police.	1		have anything else.
		Q.	When you described earlier in your testimony	2		MR. ASHFORD: I have nothing
	3		certain actions or interactions that you observed	3		further. Thank you, Mr. Washington.
_	4		out on the patio or inside the C.A.I.D., were you	4		THE WITNESS: Thank you.
	5		testifying as to what you personally observed that	5		(Deposition concluded at
	6		night and what you remember from that night?	6		2:02 p.m.)
7	7	Α.	Only what I observed and what I have from memory	7		
{	8		that night,	8		
(	9	Q.	While you were at the C.A.I.D. how many times were	9		
2:02PM 1(	0		you searched?	10		
11	1	Α.	Maps in excess of five or six.	11		
12		Q.	And how many times were you called up by an	12		
13	3		officer?	13		
14	4	Α.	Perhaps three or four times to do their duty, maybe	14		
2:03PM 1	5		three or four times.	15		
16	6	Q.	Do you know whether or not you were actually	16		
17	7		ticketed more than once?	17		
18	В	Α.	I wouldn't know, they were I guess trying to find	18		
19	9		out they were asking each other who wanted court	19		
2:03PM <b>2</b> (	0		time and who wanted to be a part of it I guess so	20		
2	1		they were, they kept calling us up there to do	21		
22			their own paperwork and their own thing so I don't	22		
23			know if I was ticketed more than once or by whom	23		
24			exactly.	24		
			MS, JAMES: Okay. I don't think I	25		
2:03РМ 🛂						
2:03PM <b>2</b>	•		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING

41 CERTIFICATE OF NOTARY STATE OF MICHIGAN) SS COUNTY OF WAYNE ) I, LaVerne M. Reinhardt, CSR, Notary Public in and for the above county and state, do hereby certify that the deposition of JAMES WASHINGTON, was taken before me at the time and place hereinbefore set forth, that the witness was duly sworn to testify to the truth, the whole truth and nothing but the truth, that 10 thereupon the foregoing questions were asked and 11 foregoing answers were made by the witness which were 12 duly recorded by me stenographically and later reduced 13 to computer transcription; and I certify that this is a true and correct transcript of my stenographic notes so 14 15 16 I further certify that the signature was 17 waived by counsel for the respective parties hereto; also, that I am not of counsel to either party nor 1.8 19 20 LaVerne M. Reinhardt, CSR-23 Notary Public, Wyne County, Michigan 22 23 My Commission Expires

RELIANCE COURT REPORTING (313) 964-3611

# EXHIBIT 15

2:10-cv-10675-VAR-MKM Doc # MATHAMEL PRINED 04/17/12 3 1 INDEX UNITED STATES DISTRICT COURT 1 1 PAGE EASTERN DISTRICT OF MICHIGAN 2 WITTHESS NATHANIEL PRICE SOUTHERN DIVISION 3 IAN MOBLEY, KIMBERLY MOBLEY,
PAUL KAISER, ANGIE WONG,
JAMES WASHINGTON, NATHANIEL
PRICE, JEROME PRICE, STEPHANIE
HOLLANDER, JASON LEVERETTE,
SAUNDERS, WANDA LEVERETTE,
DARLENE HELLENBERG, THOMAS
WANTER DAYLING MANUER 5 Examination by Mr. Ashford Examination by Ms. James 30 7 MAHLER, and LAURA MAHLER 8 Plaintiffs, USDC Case No. 10-10675 Hon. Victoria A. Roberts EXHIBITS 9 MARKED 10 10 CITY OF DETROIT, VICKI YOST, and DANIEL BUGLO, None offered 11 12 Defendants. 12 13 13 The deposition of NATHANIEL 14 14 15 PRICE taken in the above-entitled matter before 15 16 Reporter Deborah LaCroix, (CSR-1454), Notary Public 16 in and for the County of Wayne, State of Michigan, 17 17 18 at 1394 E. Jefferson Avenue, Detroit, Michigan, on 18 Tuesday, November 23, 2010, commencing at or near 19 19 20 20 the hour of 1:00 p.m. 21 21 22 22 23 23 24 24 25 25 RELIANCE COURT REPORTING RELIANCE COURT REPORTING (313) 964-3611 (313) 964-3611 1 November 23, 2010 2 Detroit, Michigan APPEARANCES: 3 DANIEL S. KOROBKIN (P-72842) 2 American Civil Liberties Union 4 Fund of Michigan 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 5 Appearing on behalf of Plaintiffs. 6 7 NATHANIEL PRICE, KATHRYN BRUNER JAMES (P-71374) KATHERN BRUNKE JAMES (P-11374)
Cooperating Attorneys, American
Civil Liberties Union Fund of
Michigan
Goodman & Hurwitz, P.C.
1394 E. Jefferson Avenue
Detroit, Michigan 48207
(313) 567-6170
Appearing on behalf of Plaintif 8 was thereupon called as a witness herein and after 9 having been duly sworn to testify to the truth, the 10 whole truth and nothing but the truth, was examined 10 Appearing on behalf of Plaintiffs. 11 and testified as follows: 11 JERRY L. ASHFORD (P-47402) City of Detroit Law Department 660 Woodward Avenue 1650 First National Building Detroit, Michigan 48226 (313) 237-3089 12 MR. ASHFORD: Let the record reflect that 12 this is the deposition of Nathaniel Price taken 13 13 14 pursuant to the Federal Rules of Civil Procedure to be Appearing on behalf of Defendants. 15 15 used for any and all purposes allowed under those 16 16 rules. Notice to all parties. 17 17 Good afternoon, Mr. Price. My name is 18 18 Jerry Ashford. I represent the City of Detroit and 19 19 police officers in this lawsuit. 20 20 Have you ever given any type of court 21 21 22 testimony? 23 22 THE WITNESS: No. 24 23 MR. ASHFORD; You've probably seen people 25 24 give testimony on television. And similar to that, we 25 have a court reporter that's sitting to my left; your RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING (313) 964-3611

	2:10-cv-10675-VAR-MKM Doc # 8年中8	EL FR	lled	104/17/12 Pg 3 of 9 Pg ID 2004
	5			7
1	right. She is taking down everything that we say. So	1		Bachelor's and Master's in occupational therapy.
2	I need verbal answers to my questions. Try not to	2	Q	How much further have you to go to get those
3	give me head shakes or nods or ah-hah, uh-uh because	3	_	degrees?
	she can't take down that kind of stuff. Okay?	4		Three years.
ວ	THE WITNESS: Okay.	5	Q	Besides Wayne State University do you have any other
6	MR. ASHFORD: Also, if I ask you any kind	6		educational degrees or certifications or anything
7	of question and you don't understand, please let me	7		like that?
8	know. I will try to rephrase it until hopefully you	8	Α	No.
9	do understand.	9	Q	Did you ever attend any other college?
10	THE WITNESS: Okay.	10	Α	I went to Wayne County Community College.
11	EXAMINATION	11	Q	What did you study there?
12	BY MR. ASHFORD:	12	Α	I took EMT. I was going into firefighting then.
13	Q Will you please state your full name.	13		And physical therapy related classes.
14	A Nathaniel James Price.	14	Q	How long did you attend Wayne County Community
15	Q And how old are you?	15		College?
16	A 23.	16	Α	Two or three semesters.
17	Q What's your date of birth?	17	Q	Then you transferred to Wayne?
18	A September 6, 1987.	18	Α	Yes.
19	Q What is your current address?	19	Q	You're not employed?
20	A 604 West Lewiston, Ferndale, Michigan.	20		Yes I am.
21	Q How long have you lived there?	21	Q	Where are you employed?
22	A My whole life.	22		Zuma Coffee House in Birmingham.
23	Q You live with your parents?	23		Mr. Price, please don't be offended. I ask everyone
24	A Yes.	24		the same question.
25	Q Were you living there with your parents on the date	25		Have you ever been arrested before?
	RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
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1		1		_
1 2	of May 31, 2008?  A Yes.	1 2		MS. JAMES: Objection. Relevance. THE WITNESS: No.
	of May 31, 2008?  A Yes.	1	ВҮ	MS. JAMES: Objection. Relevance.
2	of May 31, 2008?  A Yes.  Q Why did you hesitate?	2		MS. JAMES: Objection. Relevance. THE WITNESS: No. MR. ASHFORD:
2 3 4	of May 31, 2008?  A Yes.  Q Why did you hesitate?  A Because I was forgetting if I was in the dorms or	3		MS. JAMES: Objection. Relevance. THE WITNESS: No. MR. ASHFORD: Have you ever been convicted of any crime?
2 3 4 5	of May 31, 2008?  A Yes.  Q Why did you hesitate?  A Because I was forgetting if I was in the dorms or not then. I lived in there for two semesters.	2 3 4	Q	MS. JAMES: Objection. Relevance. THE WITNESS: No. MR. ASHFORD: Have you ever been convicted of any crime? No.
2 3 4 5 6	of May 31, 2008?  A Yes.  Q Why did you hesitate?  A Because I was forgetting if I was in the dorms or not then. I lived in there for two semesters.  Q You've lived with your parents all your life except	2 3 4 5	Q	MS. JAMES: Objection. Relevance. THE WITNESS: No.  MR. ASHFORD: Have you ever been convicted of any crime?  No.  MR. ASHFORD: I will give you a standing
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 23 24	of May 31, 2008?  A Yes.  Q Why did you hesitate?  A Because I was forgetting if I was in the dorms or not then. I lived in there for two semesters.  Q You've lived with your parents all your life except for when you were in college?  A Yeah. For part of college.  Q What is your Social Security number?  A 368 11 7589.  Q Did you graduate from high school?  A Yes.  Q What high school?  A Ferndale High School.  Q What year?  A 2006.  Q Did you attend college?  A Yes.  Q What college?  A Wayne State University.  Q Did you graduate from Wayne State University?  A No.  Q Are you still attending Wayne State University?  A Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q A BY Q A Q A Q A Q A Q A Q A	MS. JAMES: Objection. Relevance. THE WITNESS: No.  MR. ASHFORD: Have you ever been convicted of any crime?  No.  MR. ASHFORD: I will give you a standing objection.  MS. JAMES: Thank you.  MR. ASHFORD: Have you ever been treated for substance abuse?  No. Have you ever been treated for any kind of psychiatric illness or condition? I am on antianxiety medication. How long have you been on antianxiety medication? For about the last 6 months. Who prescribed that medication? Leonard Rosen. Is he a psychiatrist? Yes. Where is his office? I'm pretty sure Farmington. When was the last time you saw him? About two weeks ago.

		2:10-cv-10675-VAR-MKM Doc.# 8年中88		llec	LU4/ L// LZ
_ آ ا		9	,	^	You attended those parties over how long of a time
1		No.	1	u	
2	Q	Can you describe what type of anxiety you have?	2	А	period?
3		MS. JAMES: Objection as to form. I'm not	3		One to two years.  During the four or five times that you attended funk
		quite sure what you mean.	4	W	
5		MR. ASHFORD:	5		night before May 31, 2008 did you ever pay a fee to
6	Q	Well, if you understand what I mean. Do you	6		get in?
7		understand what I mean?	7	A	
8		Can you say it again?	8		Was your identification checked at the door?
9	Q	Well, generally anxiety is fear of the unknown.	9		Yes.
10		Can you tell me what kind of anxiety you	10	Q	Every time or only a couple of times? How often was
11		have? Is there a certain fear of something or are	11		it checked of the four or five times that you
12		you anxious about certain things?	12		attended the funk night?
13	A	Mostly social issues. Just being nervous in too	13	Α	I'm pretty sure every time.
14		many situations where I shouldn't be.	14	Q	During the four or five times that you attended did
15	Q	Does your anxiety condition have anything to do with	15		you ever fill out any type of membership
16		the incident that occurred on May 31, 2008?	16		application?
17	Α	No.	17	Α	No.
18		During your lifetime have you ever had any other	18	Q	During the four or five times that you attended funk
19		kind of psychiatric issues besides anxiety?	19	•	night prior to May 31, 2008 did you ever observe any
20	Α		20		guns or weapons inside the CAID?
21	Q		21	Α	No.
22	W.	Institute of Detroit?	22	Q	Did you ever observe or recognize any unlawful
23	۸	No.	23	~	narcotics inside the CAID during the four or five
			24		times you attended funk night prior to May 31, 2008?
24	Q	On May 31, 2008 you attended funk night at the	25	Α	No.
25		Contemporary Art Institute of Detroit?	25	^	RELIANCE COURT REPORTING
J		RELIANCE COURT REPORTING			(313) 964-3611
		(313) 964-3611	<del> </del>		(313) 904-3011
,	٨	Yes.	1		MS. JAMES: Objection as to foundation.
1			'2	ΒV	MR. ASHFORD:
3		You didn't sign up to be a member on that date?  No.	3		Before May 31, 2008 during the four or five times
_	_		4	-	that you attended funk night parties were you ever
4	Q	Did you pay a \$5 fee to get in?	5		served alcohol?
5	Α	No.	6		
6					
7	Q		1		MS. JAMES: Objection. It's the same issue
	Q	That's a bad question. Strike that.	7		that I just discussed with you yesterday. Nathaniel
8	Q	That's a bad question. Strike that.  Did you pay any fee to get into the	7 8		that I just discussed with you yesterday. Nathaniel was under 21 on May 31 and obviously before then.
9	Q	That's a bad question. Strike that.  Did you pay any fee to get into the  Contemporary Art Institute of Detroit on May 31,	7 8 9		that I just discussed with you yesterday. Nathaniel was under 21 on May 31 and obviously before then. So with respect to any purchased, possession or
9 10		That's a bad question. Strike that.  Did you pay any fee to get into the  Contemporary Art Institute of Detroit on May 31, 2008?	7 8 9 10		that I just discussed with you yesterday. Nathaniel was under 21 on May 31 and obviously before then. So with respect to any purchased, possession or consumption of alcohol other than May 31, 2008, I'm
9 10 11	A	That's a bad question. Strike that.  Did you pay any fee to get into the  Contemporary Art Institute of Detroit on May 31,  2008?  No.	7 8 9 10 11		that I just discussed with you yesterday. Nathaniel was under 21 on May 31 and obviously before then. So with respect to any purchased, possession or consumption of alcohol other than May 31, 2008, I'm going to advise him to assert a fifth amendment
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			1	O	Can you spell his last name?
1		to answer that question?	2		D-e-w-a-n.
2		Yes.	3		How old Is Patrick?
3	_	As of May 31, 2008 did you own a computer?	3		How old was he or is he?
		Yes.	4+   p=		
5		What type of computer did you own?	5	-•	How old is he?
6		Dell desktop.	6		22.
7		Do you still have that computer?	7	_	So he's one year younger than you?
8	Α	Yes.	8		Yes.
9	Q	Who was your internet provider?	9		Were you with anyone else besides Patrick?
10		I think AT&T.	10	Α	No.
11	Q	Who was your cellular telephone provider?	11	Q	Did Patrick have any intoxicating liquor at the
12	Α	Sprint.	12		Pistons playoff game?
13	Q	Did you have a Facebook at the time?	13	Α	
14	Α	Yes.	14	Q	When you were driving your father's car on the way
15	Q	Did you ever write about the CAID on your Facebook	15		to the CAID was there anyone else in your vehicle
16		page prior to May 31, 2008?	16		besides Patrick?
17	Α	I think so.	17	Α	Yes.
 18		Have you ever written about the incident that	18	Q	Who else?
19	-	occurred on May 31, 2008 on your Facebook page?	19	Α	Lindsay Umlauf.
20	Δ	I think so.	20	Q	
21		Do you recall what you wrote?	21	A	tana ara-ara-ara-ara-ara-ara-ara-ara-ara-ar
22		No.	22	Q	
		On May 31, 2008 you were driving your father's	23	•	21 or 22.
23	u	vehicle?	24		What was your relationship with Lindsay on the date
24			25	· ·	of May 31, 2008?
25	A	Yes.	23		RELIANCE COURT REPORTING
		RELIANCE COURT REPORTING			(313) 964-3611
		(313) 964-3611	<del>                                     </del>		(313) 304-3011
	^		4	٨	Friends from high school.
1	Q	Your father's name is what?	2		What was the relationship between Patrick and
3	A	Jerome Price.  What kind of car were you driving?	3		Lindsay on May 31, 2008, as far as you know?
4	V	Silver Saturn.	4	Α	Friends from high school.
	^		5	a	Did you stop to pick her up?
5	Q	What year?	6	A	Yes.
6	A		7	Q	Where did she live?
7	Q	You drove it to the CAID, correct?	8	Δ	In Ferndale on Jewell off of Hilton.
8	A	Yes.	9	Q	
9	Q	From where?	1 -		Oak Park.
10	Α	From the Palace of Auburn Hills to my friend's house	10		
11	_	to the CAID.	11		
12	Q	,	12		Yes.
13		you coming from?	13		And you drove from Lindsay's house to the CAID?
14	Α	Pistons playoff game.	14	A	
15	Q	• • •	15	Q	_
		have any type of intoxicating liquor?	16	Α	
16		• • •		Q	How long did you spend at Lindsay's house?
17		MS. JAMES: Objection.	17	-	
17 18		MS. JAMES: Objection.  Again, it's the issue that we talked about	18	A	No time. She just came out.
17		MS. JAMES: Objection.	18 19	Q	Did the Pistons win the playoff game?
17 18		MS. JAMES: Objection.  Again, it's the issue that we talked about	18 19 20	Q	Did the Pistons win the playoff game?  I don't think so.
17 18 19	ВҮ	MS. JAMES: Objection.  Again, it's the issue that we talked about a minute ago. I'm only advising him to waive his	18 19 20 21	Q	Did the Pistons win the playoff game?  I don't think so.  How long did you spend after the Pistons game ended
17 18 19 20	BY <b>Q</b>	MS. JAMES: Objection. Again, it's the issue that we talked about a minute ago. I'm only advising him to waive his right with respect to May 31, 2008 at the CAID.  MR. ASHFORD:	18 19 20	Q A	Did the Pistons win the playoff game?  I don't think so.
17 18 19 20	_	MS. JAMES: Objection. Again, it's the issue that we talked about a minute ago. I'm only advising him to waive his right with respect to May 31, 2008 at the CAID. MR. ASHFORD: Do you wish to follow that advice?	18 19 20 21	Q A Q	Did the Pistons win the playoff game?  I don't think so.  How long did you spend after the Pistons game ended at the Palace?  I'm not sure.
17 18 19 20	Q	MS. JAMES: Objection. Again, it's the issue that we talked about a minute ago. I'm only advising him to waive his right with respect to May 31, 2008 at the CAID.  MR. ASHFORD: Do you wish to follow that advice?  Yes.	18 19 20 21 22	Q A Q	Did the Pistons win the playoff game?  I don't think so.  How long did you spend after the Pistons game ended at the Palace?  I'm not sure.
17 18 19 20	Q A	MS. JAMES: Objection. Again, it's the issue that we talked about a minute ago. I'm only advising him to waive his right with respect to May 31, 2008 at the CAID.  MR. ASHFORD: Do you wish to follow that advice?  Yes.	18 19 20 21 22 23	Q A Q A	Did the Pistons win the playoff game?  I don't think so.  How long did you spend after the Pistons game ended at the Palace?  I'm not sure.
17 18 19 20 21 23 24	Q A Q	MS. JAMES: Objection. Again, it's the issue that we talked about a minute ago. I'm only advising him to waive his right with respect to May 31, 2008 at the CAID.  MR. ASHFORD: Do you wish to follow that advice?  Yes.  Who were you with at that Piston playoff game?	18 19 20 21 22 23 24	Q A Q A	Did the Pistons win the playoff game?  I don't think so.  How long did you spend after the Pistons game ended at the Palace?  I'm not sure.  Did you spend some time there after the game was

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		17	1		And then the police came in the front door charging
1		Just getting out of the parking.	2	^	in with guns telling everyone to get to the ground.
2	Q	Of course at the end of a Pistons game is very	3	^	How do you know they were police?
3		crowded so it takes some time to get out of the	4		I didn't know it at the time.
		parking lot, correct?	5		When they were coming through the door did they say
o o		Yeah.	6	Q	police?
6		When you arrived at the CAID, where did you park?	7	Λ	I don't think so. But I'm not sure.
7	А	In the small lot across from the side street that it	8		How were they dressed?
8	_	was located on. I don't know the name.	i :	-	Dark clothing. Other than that, I'm not positive.
9	_	It's on Rosa Parks, correct?	9	_	Did they have the word police on their uniforms?
10	Α	Yes.	10	Q	·
11	Q	But there's a side street?	11		I didn't see anything.
12	Α	Side street on the other side of the building.	12	u	Was it dark inside or was it well lit where you were
13	Q	That's where the door to go in is located on that	13		standing?
14		side street?	14		It was well lit.
15		Yes.	15	Q	So then what happened as the police officers were
16	Q	So if you park in that lot, are you right across	16		coming in?
17		from that door?	17	A	They walked through the middle of the room saying,
18		Yes.	18		get on the fucking ground. And everyone did that.
19		What happened after you parked your vehicle?	19		I went off to the side, the side wall and dropped
20	Α	We all got out and entered the CAID. And we got in	20	_	down.
21		line to sign up for our CAID membership in order to	21	Q	Did you ever go to the bar in the CAID while you
22		get in.	22	_	were there on May 31, 2008?
23	Q	What time did you enter into the CAID?	23	A	
24	Α	Shortly after two.	24	Q	
25	Q	Shortly after two?	25	Α	
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
		(313) 964-3611	ļ		(313) 964-3611
	_	18		_	20
1		I believe so.	1	Q.	Did you purchase any food?
2	Q	Was there a line to get into the CAID or were you	2	A —	No.
3	_	able to walk right up to the	3	G.	It's your testimony you never went anywhere besides
4	A	Just a line inside. A short line.	4		standing in that line inside the CAID, is that
5	Q	A short line inside the CAID?	5		correct?
6	Α		6	_	Before they came in, yes.
7	Q	Were there representatives of the CAID taking money,	7	Q	Before they came in?
8		as far as you could tell?	8	A	Hm-hmm.
9	Α	At the table where they're signing up. Not at the	9	Q	Yes?
10	_	door.	10	A	* *
11	Q	So you walked into the door and there was a table	11	Q	,
12		that was set up where they were taking money and	12		get down, is that what you did?
13	_	people were signing up for memberships?	13		Yes.
14		Yes.	14		Then what happened?
15	Q	Did you also notice that they were putting on wrist	15	Α	Then we laid there for an extended period of time.
16	_	bands?	16		They were yelling at people. I'm not sure how long
17	Α	I believe so.	17	_	it was.
18		Did you ever see that?	18		Then what happened?
19	_	I don't really remember. I'm not sure.	19	A	Then after awhile they told us to stand up, a couple
20	Q	,	20		at a time. And they brought us guys over to the
24		table?	21		other side of the main room. Put us in lines where
i .	Α	No.	22		they searched us and took our belongings out of our
			1 72		nockote
23	Q	So you were standing in line with your two friends?	23	_	pockets.
	Q A	Yes.	24	Q	While you were inside the CAID did you ever see any
23	Q A	Yes. And then what happened?	1	Q	While you were inside the CAID did you ever see any physical abuse from the Detroit Police Officers
23 24	Q A	Yes.	24	Q	While you were inside the CAID did you ever see any

directed to the patrons of the CAID or the staff of the CAID?  I saw one girl who was kicked in the back to the ground.  Do you know if that girl was following instructions as they were given to her by Detroit Police  Officers?  I don't know.  Were you down on the ground at the time you saw this girl kicked in the back?  I believe so.  Did you see any verbal abuse directed at the Detroit Police Officers?  Strike that. I'm going to ask that	1 2 3 4 5 6 7 8 9 10 11	A	car. And they told me that it was going to be towed. And that I should get whatever belongings I want out of it.  And I asked them how long until I get it back and they said I would get it back on Monday.  And then he took the keys and took it.  Nathaniel, while you were in the CAID did any Detroit Police Officer point a gun in your face?  Yes.
I saw one girl who was kicked in the back to the ground.  Do you know if that girl was following instructions as they were given to her by Detroit Police  Officers?  I don't know.  Were you down on the ground at the time you saw this girl kicked in the back?  I believe so.  Did you see any verbal abuse directed at the Detroit Police Officers?	2 3 4 5 6 7 8 9 10	A	want out of it.  And I asked them how long until I get it back and they said I would get it back on Monday.  And then he took the keys and took it.  Nathaniel, while you were in the CAID did any Detroit Police Officer point a gun in your face?
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Officers?  I don't know.  Were you down on the ground at the time you saw this girl kicked in the back?  I believe so.  Did you see any verbal abuse directed at the Detroit Police Officers?	7 8 9 10 11	A	Nathaniel, while you were in the CAID did any Detroit Police Officer point a gun in your face?
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girl kicked in the back?  I believe so.  Did you see any verbal abuse directed at the Detroit Police Officers?	11	Λ	
I believe so.  Did you see any verbal abuse directed at the Detroit  Police Officers?	11	~	When did that happen?
Did you see any verbal abuse directed at the Detroit Police Officers?		Α	Right at the beginning. I was right in the
Police Officers?	17/		
	13		almost the middle of the room, yeah, so. Right
Strike that. I'm going to ask that	14		when they came in, they were just pointing it at me.
		_	•
question again. I'm not sure I asked it correctly.	15	Q	But not you specifically though? Whoever was in the
Did you hear any verbal abuse directed at	16		room, right?
the Detroit Police Officers?	17	A	I guess not. They were just pointing forward and I
I heard what sounded like it could be verbal abuse.	l		was there.
What did you hear?	19	Q	When the officers came in, they told you to get
I don't know what they were saying, but talking in	20		down, correct?
what sounded like arguing.	21	Α	Yes.
Did you see any physical abuse directed at the	22	Q	Did you trip before that?
Detroit Police Officers by patrons or staff of the	23	Α	No.
· ·	24	Q	You followed their instructions and you just got
	25		down on the ground?
	İ		RELIANCE COURT REPORTING
			(313) 964-3611
22			24
Were you searched?	1	Α	Yes.
Yes.	2	Q	What happened after you retrieved your personal
Then what happened after you were searched?	3		possessions from your vehicle?
	4	Α	I only took my hats, but then I went and joined my
_	5		friends on the sidewalk across the street.
•	6	Q	What time was it at this time?
• •	*		I'm not sure.
	l -		Then what happened?
"	l -		Then I called one of my friends who had been there
~	1		to try to get a ride home. But their car was full.
•••	1		So I called one of my other friends. And we walked
•	1		toward Woodward and north a little bit on it before
	1		
	1	_	he came and picked us up.
<del>-</del>	l l	-	How far is Woodward from the CAID?
	Į.		I don't know. A 15, 20 minutes walk.
occupation?	1		, , , , , , , , , , , , , , , , , , , ,
Yes.	17	_	•
Then what happened?	18	Q	You don't know?
Then I followed one of the officers into the front	19	Α	No.
room where they had set up a table and they asked me	20	Q	·
if I had drove to the CAID.	21		How far did you walk on Woodward before he
How did you respond?	22		picked you up? Time-wise or?
I said, yes.	23	Α	Probably 10 or 15 minutes.
Then what happened?	24	Q	Who picked you up?
	25	Α	Josh Roux
RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
· · · · · · · · · · · · · · · · · · ·			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	I don't know what they were saying, but talking in what sounded like arguing.  Did you see any physical abuse directed at the Detroit Police Officers by patrons or staff of the CAID?  No.  RELIANCE COURT REPORTING (313) 964-3611  22  Were you searched? Yes.  Then what happened after you were searched? I gave them my stuff in my pockets and they put it in a plastic bag. Then what happened? Then after awhile when they were done searching everyone and taking their belongings, the men were brought into the dance room and were told to kneel down with their hands behind their head. Then what happened? We stayed there for a long time. Until they started calling out people's names to hand out tickets and give us our belongings back. You got a ticket for loitering in a place of illegal occupation? Yes. Then what happened? Then I followed one of the officers into the front room where they had set up a table and they asked me if I had drove to the CAID. How did you respond? I said, yes.	What did you hear?  I don't know what they were saying, but talking in what sounded like arguing.  Did you see any physical abuse directed at the 22 Detroit Police Officers by patrons or staff of the 23 CAID?  No. 25  RELIANCE COURT REPORTING (313) 964-3611  22  Were you searched? 1 Yes. 2  Then what happened after you were searched? 3 I gave them my stuff in my pockets and they put it in a plastic bag. 5  Then what happened? 6 Then after awhile when they were done searching everyone and taking their belongings, the men were brought into the dance room and were told to kneel down with their hands behind their head. 10 Then what happened? 11 We stayed there for a long time. Until they started calling out people's names to hand out tickets and give us our belongings back. 14 You got a ticket for loitering in a place of illegal occupation? 16 Yes. 17 Then what happened? 18 Then I followed one of the officers into the front 19 room where they had set up a table and they asked me if I had drove to the CAID. 19 How did you respond? 12 I said, yes. 19 Then what happened? 22 I said, yes. 19 Then what happened? 23 Then what happened? 23 Then what happened? 23 Then what happened? 24	What did you hear?  I don't know what they were saying, but talking in what sounded like arguing.  Did you see any physical abuse directed at the Detroit Police Officers by patrons or staff of the CAID?  No.  RELIANCE COURT REPORTING (313) 964-3611  22  Were you searched?  Yes.  Then what happened after you were searched?  Then what happened?  Then after awhile when they were done searching everyone and taking their belongings, the men were brought into the dance room and were told to kneel down with their hands behind their head.  Then what happened?  We stayed there for a long time. Until they started calling out people's names to hand out tickets and give us our belongings back.  You got a ticket for loitering in a place of illegal occupation?  Yes.  Then what happened?  Then I followed one of the officers into the front room where they had set up a table and they asked me if I had drove to the CAID.  How did you respond?  I said, yes.  Then what happened?

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		2:10-cv-10675-VAR-MKM Doc # <b>险</b> 中地		Hec	1.04/17/12 Pg 8 of 9 Pg ID-2009 27
4	^	Lieu de veu mell ble leet pame?	1	Α	No.
1		How do you spell his last name?	2	Q	Like in court?
2		7	3		
3		How do you know Josh?	-	A	No.
1		A friend from all my schooling, except for college.	4	Q	Why not?
Ð		So what happened after he picked you up?	5	Α	Because I needed my car back. I drive it to work
6	Α	•	6	_	and school.
7		stayed there for the night.	7		Were you the titled owner of the car?
8	Q	What time did you arrive home?	8	Α	No.
9		I'm not sure.	9	Q	
10	Q	At some point did you tell your father about the	10		was your dad also using the car?
11		incident?	11		I used it most of the time.
12	Α	Yes.	12		You used It for school and work?
13	Q	When did you tell him about the incident?	13	Α	Yes.
14	A	I told my mom first. She woke up and came down.	14	Q	And you wanted your car back?
15		And I told her. I think my dad didn't know until	15	Α	Yes.
16		the next morning because he had somewhere to be in	16	Q	So then what happened after you left Wayne County
17		the morning, so he was sleeping. I'm pretty sure.	17		Prosecutor's office?
18	Q	So the morning after the incident he found out about	18	A	We went to the tow yard that they told us. And they
19		it?	19		told us that they didn't have the car. And they
20	Α	I think so.	20		sent us to a different tow yard.
21	Q	You told him or did your mother tell him?	21	Q	Do you know what tow yard you went to the first
22	Α	I don't remember.	22		time?
23	Q	Do you remember what his response was? Were you	23	Α	No.
24		there when he was told?	24	Q	What tow yard did you go to the second time?
25	Α	I don't remember his response.	25	Α	I don't know the names.
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
		(313) 964-3611			(313) 964-3611
j.		26			28
1	Q	He went to get the car back from Wayne County, is	1	Q	Do you know where the first tow yard was located?
2		that correct? Wayne County Prosecutor's office?	2	Α	No.
3	A	Yes.	3	Q	Do you know where the second tow-yard was located?———
4	Q	Did you go with him?	4	Α	No.
5	A		5	Q	Were both of the tow yards in southwest Detroit?
6		Tell me what occurred as far as getting the vehicle	6	Α	I think so.
7	-•	back.	7	Q	What happened when you arrived at the second tow
8	Α	We went to the prosecutor's office and paid the	8		yard?
9	•	\$900.	9	Α	I don't remember for sure if there was two or three
10	Q	What day was that?	10		total tow yards that we went to. But the last
11		I don't know what day.	11	Q	
12		The Incident occurred was it on a	12	A	
13		Friday.	13	Q	
14		Friday night into Saturday morning?	14	A	They went and looked for our car and then they told
15		Yeah.	15	-	us that it had been stolen out of their lot.
16	Q		16		And my dad talked to one of the guys in
17		it after that?	17		charge there. And then he offered to give us a van
18	Δ	I don't know.	18		in place of our car. Which we didn't take.
19		Do you remember if it was a week or a month later?	19		And then eventually we settled in small
ŀ	<b>-</b>	Does that help jog your memory at all?	20		claims court.
	Δ	Probably the next week.	21	Q	
20	~	So you went to the Wayne County Prosecutor's office	22	A	
21	0			_	
21	Q	•	23	റ	Did you eventually get another car?
21 23		to get the car back?	23	Q A	,
21 23 24	Α	to get the car back? Yes.	24	A	Yes.
21 23	Α	to get the car back?		A	Yes.

2:10-cv-10675-VAR-MKM Doc # 网络中种 PRED 04/17/12 Pa 9 of 9 Pa ID 2010 31 STATE OF MICHIGAN ) 1 A Yes. 2 Q How long after you left that tow yard did it take 2 ) SS. 3 **COUNTY OF WAYNE** 3 for you to get a new car or another car? ) A I got my dad's old car. He bought a new one. 4 CERTIFICATE OF NOTARY 5 **Q** How long after you left the tow yard was that? I, Deborah LaCroix, a Notary Public for the ΰ 6 Strike that. 6 County of Wayne, State of Michigan, do hereby certify 7 7 How long were you without a car? that the deposition of NATHANIEL PRICE was taken 8 8 A I'm not sure. before me at the time and place hereinbefore set 9 9 Q Was it weeks, months, years? forth; that the witness was by me first duly sworn to 10 10 A Not years. But, I'm not sure exactly how long. testify to the truth, the whole truth and nothing but 11 11 MR. ASHFORD: Off the record. the truth; that thereupon the foregoing questions were 12 (Off the record. Break is taken.) 12 duly recorded by me stenographically and by me later 13 BY MR. ASHFORD: 13 reduced to typewritten form; and I certify that this 14 14 Q Nathaniel, as a result of the police action that is a true and correct transcript of my stenographic 15 occurred on May 31, 2008 did you suffer any type of 15 notes so taken. 16 16 damages or injury that we have not discussed today? I further certify that I am not of Counsel 17 to either party nor interested in the event of this 17 A Not physically. The situation caused me a lot of 18 18 stress for the next-- for a long time. Besides not cause. Delanda La Crus 19 19 getting my car back, I didn't get back any of the 20 20 Deborah LaCroix, CSR-1454 belongings that were inside of it. 21 21 And I fear police officers a lot more than Notary Public, Wayne County, 22 22 I did before. Because I had a gun pointed at me. Michigan 23 And because of all the verbal abuse that we went 23 My Commission Expires: 4-26-11 24 24 through. 25 And now I don't go out in Detroit much 25 RELIANCE COURT REPORTING RELIANCE COURT REPORTING (313) 964-3611 (313) 964-3611 30. 1 anymore because I'm afraid of something like this 2 could happen without me knowing that someplace I'm at is doing something illegal. 4 Q Anything else? 5 No. Is there anything else you want to tell me about 7 this incident? 8 Α No. 9 MR. ASHFORD: I have nothing further. 10 **EXAMINATION** 11 BY MS. JAMES: 12 Q I just have two questions. I just wanted to clarify 13 one part of your testimony. 14 Did you trip at all the night of May 31, 15 2008 while you were at the CAID? 16 A Yes. 17 Q Can you explain when and how you tripped? 18 A I tripped after the police came through the door and 19 told everyone to get to the ground. Right after 20 that I got to the side and tripped over someone as I 24 was going to the ground. MS. JAMES: That's all I have. 23 MR. ASHFORD: I have nothing further. 24 (Deposition concluded at 2:20 p.m.) 25 RELIANCE COURT REPORTING

(313) 964-3611

# EXHIBIT 16

#### 2:10-cv-10675-VAR-MKM Doc # 84-17 Filed 04/17/12 Pg 2 of 13 Pg ID 2012

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9	CITY OF DETROIT, VICE	AT AVOID	o o	10011200 1401111100000 04 121 11011000	
10	and DANIEL BUGLO.	•	10		
11		endant.	11		
		•	11		
12	DEPO	SITION OF THOMAS MAHLER	14		
13	Taken by th	ne Defendant on the 15th day of	13		
14	December, 2010, at th	e Law Offices of Goodman & Hurwitz,	14	EXHIBITS	
15	P.C, 1394 Jefferson A	Wenue, Detroit, Michigan, 48207, at	15	(none)	
16	11:00 a.m.		16		
17	APPEARANCES:		17		
18	For the Plaintiff:	KATHRYN BRUNER JAMES, ESQ. (P71374)	18		
19		Goodman & Hurwitz, P.C. 1394 E. Jefferson Avenue	19		
20		Detroit, Michigan 48207 Telephone: (313)567-6170	20		
21	For the Defendant:	JERRY L. ASHFORD, ESQ. (P47402)	21		
22	for the Derendant:	City of Detroit Law Department	22		
		660 Woodward Avenue, Suite 1650 Detroit, Michigan 48226			
23		Telephone: (313)237-3089	23		
24			24		
25	REPORTED BY:	Angel Berry, CSR 7821 Certified Stenographic Reporter	25		
	REI	JANCE COURT REPORTING		RELIANCE COURT REPORTING	

Well, just like what you've seen on T.V. we have a

	Wednesday, December 15, 2010 - 11:00 a.m.	2		court reporter that's here with us and she's taking	
		3		down everything that you say, so as you've already	
	REPORTER: Do you swear or affirm that the	44		found out, we need verbal answers to all my questions	
<u> </u>	testimony you're about to give in this matter will be	5		because she cannot record nodding of the head or	
	_the whole truth?	6		shaking of the head. Okay?	
	MR. MAHLER; Yes.	7	À	Okay.	
1 .	MR. ASHFORD: Let the record reflect that	8	Q	Also if I ask you a question and you don't understand	
	this is the deposition of Thomas Mahler taken pursuant	9		my question please let nië know and I'll rephrase it	
	to the federal rules of civil procedure with notice to	10		until, hopefully, you do understand. Okay?	
	all parties to be used for any and all purposes	11	Å	Okay.	
	allowed under the rules.	12	Q	All right. Will you please state your full name for	
	DIRECT EXAMINATION	13		the record.	
BY MR	ASHFORD:	14	Å	Thomas Jacob Mabler,	
Q	Good morning, Mr. Mabler.	15	Q	How old are you?	
Å	Good morning, sir.	16	Å	Twenty-three.	
Q	My name is Jerry Ashford and I represent the City of	17	Q	Where do you live?	
	Defroit and the police officers in this lawsuit. Have	18	Å	1624 Edison Street.	
	you ever given any type of testimony?	19	Q	How long have you lived there?	
Á	I dou't believe so.	20	A	I believe six months, give or take a month.	
Q	Okay. Have you ever seen anyone give testimony in	21	Q	Who do you live there with?	

22

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24 Q

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RELIANCE COURT REPORTING

Detroit, Michigan

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Q

court?

I don't think so.

Or on T.V.?

On T.V, yes.

RELIANCE COURT REPORTING

I live there with my brother and his girlfriend,

What's your brother's name?

Cheryl,

Daniel Mahler.

		2:10-cv-10675-VAR-MKM Doc # 84-1	7 Filed 04/17	7/12 Pg 3 of 13 Pg ID 2013
1	Q	How old is Daniel?	1 A	No.
2	Å	He is twenty-seven.	2 Q	Okay. Did you attend high school in Ferudale?
3	Q	What's your date of birth?	3 Å	Yes.
4	Å	September 2nd, 1987.	4 Q	Did you graduate from high school?
•	Q	And what is your social security number?	5 Å	I did.
	Å	384-08-6673.	6 Q	What high school?
7	Q	Where did you live before the Edison address?	7 Å	Ferndale High School.
8	Å	I lived on Monica Street. I don't remember the exact	8 Q	What year did you receive a diploma?
ġ		address.	9 A	2005.
10	Q	How long did you live there?	10 Q	Have you attended any other post-secondary
11	Å	Two or three months.	10 V	institutions besides Wayne State University?
12	Q	Who did you live there with?	12 A	No.
13	Á	There were a lot of people that were coming and going.	13 Q	What are you studying at Wayne State?
14	Q	Are you currently a student?	14 A	Biotechnology.
15	A	Yes.	15 Q	Have you ever received any type of degree or
16	Q	Where!	15 Y 16	certification from Wayne State University?
17	Å	Wayne State University.	17 A	No.
18		Where were you living on May 31st of 2008?	<del>-</del> -	
	Q		•	Since you graduated from 2005 have you had any type of
19 10	A	Ferndale, Michigan. It's 741 West Lewiston.	19	full-time employment?
20	Q	How long had you lived at the Lewiston address?	20 A	No.
21	A	I've been living on and off there my whole life.	21 Q	Thomas, have you ever been a member of the
22	Q	Okay. On May 31st, 2008 who lived at the Lewiston	12	Contemporary Art Institute of Detroit?
23		address?	23 A	Yes.
24	A	Myself and my mother, Laura Mahler.	24 Q	When did you join that organization?

RELIANCE COURT REPORTING

Anyone else?

RELIANCE COURT REPORTING

RELIANCE COURT REPORTING

Sometime in 2007 or 2008.

1	Q	So when you went to the party on May 31st of 2008 were	1 A	A Wine and beer.
2		you already a member?	2 (	Q Red wine, white wine or both?
3	Å	Yes.	3 /	A Both,
4	Q	How long had you been a member?	4(	Q Prior to strike that.
—5 <sup>—</sup>	A	How long had you been a member? Some months. I can't remember exactly how many	5	Was your mother with you at these art shows?
6-	. 7	nouths, _		1No
7	Q	Was that the first event you had ever gone to at the	7	Was the beer and wine being sold or was it being given
8		- Contemporary Art Institute of Detroit or the CAID?	8	out free?
9	A	Na.	··· 9 A	A It was provided to people that were members and over
10	Q	What other events had you attended prior to May 31st	10	twenty-one. I don't know what that constitutes as
11		of 2008?	11	legally.
12	Å	I had been to other funk nights. I had been there for	12	So you had to be twenty-one to receive — to get the
13		some other events. Once there was - once or twice	13	beer and wine?
14		there was an art show of some sort with hangings, I	14 /	A Yes.
15		believe. There was also some other events where they	15 (	Who was the state of the state
16		played other classical music like disco or something.		They give the system might change from night to
17	Q	What do you mean classical music, but like a disco?	17	night but they had someone identifying their wrist
18	Ā	I'nu sorry. Funk and disco music seems like classical	18	bands or markers on the hands.
19		nusic to me. It's before my time.	19 (	Q At the art shows?
20	Q	How many art shows, approximately, did you attend?		Yes.
21	À	More than ten, probably less than thirty.	21 (	Did you personally know any of the employees or
22	0	Was there any alcoholic beverages served at the art	22	volunteers who worked at the Contemporary Art
23	•	shows?	23	Institute of Detroit?
24	Å	Yes.		Know them personally how?
25	Q	What kind of alcoholic beverages?		Q By name?
	T.		-v \	£ -1

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1	Å	Yes.	1	A	Yes, Sorry.
2	Q	Can you tell me who you know who was an employee or	2	Q	Where did you last see him? Was it during a CAID
3		volunteer at CAID?	3		event?
4	À	Aaron Timlin,	4	A	The last time I remember speaking to him was when we
•	Q	Anyone else?	5		were meeting with our lawyers as a large group two and
ı	A	That's the only name I know.	6		a half years ago.
7	Q	Okay. What kind of relationship did you have with	7	Q	What lawyers were those?
8	-	Aaron Timlin as of May 31st of 2008?	8	Ā	ACLU representatives.
9	Á	Acquainfances.	9	Q	Thomas, do you have a Facebook?
10	Q	How had you become acquainted with Mr. Timlin?	10	Á	Yes, 1 do.
11	Á	I had talked to him most of the nights I'd been at the	11	Q	Have you ever discussed the arrest at the CAID on your
12		CAID.	12		Facebook page that occurred on May 31st, 2008?
13	Q	Do you know what his role was there or job?	13	Å	No, I don't believe so.
14	A	No, I don't.	14	Q	Or on a MySpace page?
15	Q	Where did you first meet Mr. Timlin?	15	Å	I don't have a MySpace or anything else like a
16	A	I believe I first met him at the CAID.	16		Facebook.
17	Q	What type of event did you meet him at?	17	Q	Have you ever gone into the CAID website?
18	Å	Probably Funk Night,	18	A	Yes.
19	Q	Had you seen Mr. Timlin at other funk nights?	19	Q	For what reason?
20	Á	Yes,	20	A	Check times and dates.
21	Q	Was he at the art shows?	21	Q	Of events?
22	Å	Yes,	22	Å	Yes.
23	Q	When is the last time that you spoke with Mr. Timlin?	23	Q	Have you ever been in a chat room on the CAID website?
24	Å	It might have been a year or two.	24	A	No.
25	Q	Ago?	25	Q	Prior to May 31st of 2008 do you know if CAID had a

RELIANCE COURT REPORTING

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1		State of Michigan liquor license?	1		THE WITNESS: No.
2	Å	No, I'm not aware of that.	2	BY MR.	ASHFORD:
3	Q	Did you ever see one posted at the CAHD?	3		Have you ever been treated for substance abuse?
4	À	I monthly the state of the stat	4	•	MS. BRUNER-JAMES; Same objection.
-5	0				THE WITNESS: No.
_6	_À	I've never checked for a timus license before. I	6		ASHFORD;
7	-	don't even know what they look like.	11.		Have you ever been treated for any type of psychiatric
8	0-	Have you ever checked for a City of Detroit dance	8	-	illness or condition?
9	-	nermit?	· 9·	-	MS. BRUNER-JAMES: Same objection.
10	A	No.	10		THE WITNESS: Yes.
11	Q	Do you know if the CAID had one?	13	BY MR.	ASHFORD:
12	À	I don't.	12	Q	What type of condition?
13	Q	Did you check for a City of Detroit business license?	13		I was treated for an anxiety disorder as a child and I
14	Ā	No.	14		received psychiatric treatment surrounding the time of
15	Q	Do you know if the CAID had one?	15		this event for no specific condition.
16	À	No. I don't.	16		Who did you receive treatment from?
17	0	On May 31st — strike that.	17	-	The Wayne State psychiatric service.
18	•	Thomas, have you ever been arrested?	18		Do you know what doctor or counselor treated you?
19		MS. BRUNER-JAMES: Objection as to relevance.	19		I can't remember his name at this moment.
20		Go ahead,	20	0	How long did you undergo treatment or how many
21		MR. ASHFORD: Strike that.	21		sessions did you attend?
22	BY MR	A ASHFORD:	22		I attended for a few months, usually once a week. Not
23	Q	Thomas, have you ever been arrested or convicted of a	23		always.
24	•	crine?	24		During what time period?
25		MS. BRUNER-JAMES: Same objection.	25		Before and after the events.
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING

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Q	Before and after the May 31st, 2008 event?		4	BY MR. ASHFOR	D;	

1	Q	Before and after the May 31st, 2008 event?	4	BY ME	R, ASHFORD;
2	Å	Yes.	2	Q	What got worse?
3	Q	Were you ever prescribed any type of medication?	3	A	I became kind of depressed and despondent I suppose,
4	A	Not at that time, no.	4		1 didn't like going out very much anymore.
	Q	What do you mean, not at that time?	5	Q	Prior to May 31st, 2008 had you ever been diagnosed
	Å	The Wayne State psychiatric service didn't prescribe	6	•	with depression?
7		me medication. I was prescribed medication as a	7		MS. BRUNER-JAMES: Objection as to relevance.
8		child,	8		Go ahead.
9	Q	As an adult have you ever been prescribed any	9		THE WITNESS: I don't believe so.
10		medication for any type of psychiatric illness or	10	BY ME	R. ASHFORD;
11		condition?	11	Q	Since May 31st, 2008 have you been diagnosed with
12	Å	No.	12	•	depression?
13	Q	When was the last time you received treatment for any	13	Å	No.
14		type of psychiatric or psychological condition?	14	Q	When you were seeking treatment around the time of
15	A	I'm not positive, but I believe two years.	15	-	May 2008, both before and after, were you ever
16	Q	Two years ago?	16		diagnosed with any type of psychiatric or
17	À	Yes,	17		psychological condition?
18	Q	Did your psychiatric problems or psychological	18	A	No. I don't believe I was ever diagnosed at the Wayne
19		problems have anything to do with the May 31st, 2008	19		State facilities.
20		incident alleged in your complaint?	20	Q	But you were diagnosed as a child with anxiety?
21		MS. BRUNER-JAMES: Objection as to	21	À	Yes,
22		foundation.	22	Q	What time did you arrive at the CAID on May 31st of
23		THE WITNESS: I felt I had a problem prior	23		2008?
24		but I feel like I got worse at that time afterwards	24	A	Approximately 2:00 a.m.
25		after the May 31st event.	25	Q	If the complaint in this case said you arrived at 1:50
		RELIANCE COURT REPORTING			RELIANCE COURT REPORTING

15

1	l	a.m. would that be an error?	1	Q	Did you have anything – any alcoholic beverages to
2	A	I don't know exactly what time I arrived. Somewhere	2	•	drink at that funk night?
3	}	in the vicinity of two, give or take ten minutes.	3		MS. BRUNER-JAMES: Objection. This witness
(	L Q	Could you have arrived at 2:10?	4_		was under twenty-one at this time, so I'm advising him
5	A	It's possible. I wasn't checking the clock.	-5		to assert his Fifth Amendment privilege not to answer
6	<u>Q</u>	Is it more likely that you arrived at two o'clock or	6_		any questions about underage drinking with the limited
7		1:50 than 2:10?	7		exception of while he was at the CAID on May 31st,
. 8	A -	Pm not sure.	8		2008. So with respect to this question, I'd advise
9	Q	How did you get to the CAID?	9		him to assert his privilege.
10	0 A	I walked.	10	BY M	R, ASHFORD:
11	1 Q	Where did you walk from?	11	Q	Do you wish to do that, Mr. Mahler, assert your Fifth
Ľ	2 A	Down the street.	12	•	Amendment privilege?
13	3 Q	Down the street where?	13	A	I'm sorry, No, I wasn't drinking.
14	4 A	From the CAID down Rosa Parks. I was at another	14	Q	During how long were you at that yenue?
15	5	venue, the name of which I can't exactly remember.	15	À	I can't remember. Not very long.
10	6 Q	What type of venue was it?	16	Q	Okay,
ľ	7 A	It was another art gallery.	17	À	Probably less than a half hour.
18	8 Q	What was going on at that art gallery or what event	18	Q	Were you using any type of illegal narcotics while you
19	}	were you attending?	19	•	were at funk night at that venue?
20	) A	They were — I believe it was another funk night.	20		MS. BRUNER-JAMES: Objection. Same assertion
21	l Q	Were you a member of that art gallery?	21		of the Fifth Amendment privilege not to answer any
27	l A	No, theirs didn't work on a membership basis, I don't	22		questions of an incriminating nature. I'd advise you
23	]	helieve.	23		not to answer that question.
24	l Q	It was just general admission to whoever showed up?	24		THE WITNESS: I won't auswer then. Fifth
1	_	I think so.	25		Amendment.

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1	BY MR.	ASHFORD:	1		the raid on the CAID?
2	Q	So you wish to assert your Fifth Amendment privilege?	2	A	Yes.
3	Å	Yes	3	Q	Was the Prism insured?
4	Q	Okay. I may have already asked you this, but how long	4	A	Yes.
•		were you there?	5	Q	What was the name of the insurer?
d	Á	I don't remember. I believe it was less than a half	6	Å	AAA, I believe.
7		hour.	7	Q	Who was the primary user of the Geo Prism?
8	Q	Who were you with?	8	A	I am.
9	A	I was by myself.	9	Q	You still have it today?
10	Q	Okay. How far was this venue from the CAID?	10	Å	Yes.
11	A	A few cliy blocks.	11	Q	So when you went to the CAID or arrived at the CAID at
12	Q	ls it on Rosa Parks also?	12		approximately 2:00 a.m. on May 31st, 2008 were you
13	Å	It is not on Rosa Parks. I believe it's around the	13		alone?
14		corner.	14	Å	Yes.
15	Q	From the CAID?	15	Q	Did you pay any admission to get in?
16	Å	Around the corner from Rosa Parks.	16	Å	No.
17	Q	Okay. How did you get to that venue?	17	Q	Why not?
18	Å	I drove.	18	A	I had been a member, had already paid up.
19	Q	What kind of car did you drive?	19	Q	Did you were you given a wrist band?
20	Á	95 Geo Prism.	20	A	I don't believe so.
21	Q	Who is the registered owner of that Geo?	21	Q	You don't recall or do you know?
22	Å	Laura Mahler.	22	A	Sometimes they had wrist bands for people over
23	Q	Your mother?	23		twenty-one and under twenty-one, and they would be
24	A	Yes	24		different colors. I can't remember whether they gave
25	Q	Was that vehicle subsequently seized as a result of	25		me the under twenty-one wrist band or whether l

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...

1		received no wrist band.	1	0	So after you stepped in the CAID what did you see?
2	Q	When you arrived at the door was there a line?	2	Å	I saw people standing around talking.
3	Å	Yes.	1	Ô	What room were you in?
J.	Λ	Okay, How many people were in front of you trying to	4	ų,	•
7	Y	est into the venue?	**************************************	A	I was outside. The side door leads directly into the backward.
,			- 3	Δ-	
_0_	_A	I didn't go in through the front door,	0	_ <b>y</b>	Okay, When you first stepped into the CAID after you
7	Q	What door did you go into?	7 .		paid your —
8	A.	The side door.	8	A -	The building?
9	Q -	Okay. How many people were in front of you when you	9 -	Q -	Strike that. After you first stepped into the CAID
10		were trying to get into the side door?	10		building what room were you in?
11	A	Nebody.	11	A	I was in the room with the dance floor and the DJ.
12	Q	So earlier you testified there was someone in front of	12	Q	That was near the back of the building, wasn't it?
13		you, but there was no one in front of you. Was there	13	Ā	Yes.
14		anyone in front of you while you were trying to get	14	Q	Did you ever go to the front of the building?
15		into the CAID?	15	À	Yes.
16	Á	There were people in line for the front door but they	16	Q	Okay. When did you go to the front of the building?
17		weren't in front of me. I went to a different	17	À	A few minutes after I arrived.
18		entrance.	18	0	Okay. So you walked into the room with the DJ and
19	Q	What did you see? Was there anyone at the entrance,	19	Y	· · · · · · · · · · · · · · · · · · ·
20	V				where the dancing was going on, and you walked to the
		the side entrance that you went into, cheeking IDs?	20	4	front?
21	A	Yes. They had staff there.	21	A	Yes.
22	Q	How many people?	22	Q	Why did you do that?
23	Å	One or two people.	23	A	I went to get a cup of water.
24	Q	Did you know the staff members?	24	Q	Okay. Where did you go to get the water?
25	Á	I know them by face, but not by name.	25	À	The bar.

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1	Q	Okay. At the bar did you see any sales of alcoholic	1	Q	Okay. Can you describe it for me?
2		beverages?	2	Å	Dark colored, bubbly liquid.
3	A	As far as I remember I was the only one at the bar at	3	Q	You have experience with beer?
4		the time, so I didn't observe any sales.	4		MS, BRUNER-JAMES; Objection. Come on.
•	Q	Okay. Did you see anyone in the CAID with alcoholic	5	BY MR.	ASHFORD:
,		beverages?	6	Q	You don't have to answer that. While you were inside
7	A	I don't know.	7		the CAID did you see anyone you knew prior to - you
8	Q	You didn't see any beer in the CAID when you were in	8		had known prior to that night?
9		there?	9	A	Yes.
10	A	Okay. Yes, I saw beer.	10	Q	Who did you see?
11	Q	Okay. Did you see any kegs when you were in the CAID	11	A	I saw Neil Matouka, Anna Stotland, Eric Johnson, Mary
12		building?	12		Frazier, a few more people whose names I can't
13	Å	I don't recall seeing a keg.	13		remember right now.
14	Q	What was behind the bar?	14	Q	Okay. While you were inside the CAID on May 31st,
15	A	A sink, some beer and some wine,	15		2008 did you see anyone who was under age drinking
16	Q	What was the wine in?	16		alcoholic beverages?
17	Å	A box.	17	A	I don't know.
18	Q	Okay. Bottles of wine were in a box?	18	Q	Did you see anyone using illegal narcotics?
19	A	No, it was the Franzia box wine.	19		MS, BRUNER-JAMES: Objection as to
20	Q	Was it red or white?	20		foundation. Go ahead.
21	A	I think they had both.	21		THE WITNESS: I don't recall seeing anybody
22	Q	Okay. What was the beer in?	22		use narcotics.
23	Å	I don't know. I saw people carrying it in cups.	23	BY MR.	ASHFORD:
24	Q	How do you know it was beer?	24	Q	Did you see or smell any marijuana?
25	Å	I know what beer looks like.	25	A	I did not see any. 1 can't really say about smell.

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0 Why can't you say about smell? things. BY MR. ASHFORD: MS. BRUNER-JAMES: Objection as to form. 3 THE WITNESS: I can't say for certain what a 3 During your time in attendance at the CAID on certain aroma is... May 31st, 2008 did you ever go into the bathroom? BY MR. ASHFORD: Did you say that night or ever? -Had you ever recognized the smell before that you That night of May 31st, 2008, had - strike that. 7 I don't believe I did. 7 A Had you ever smelled anything before that you And when you were at the bar there was no one else Q\_ recognized as marijuana - burned marijuana? 10 MS. BRUNER-JAMES: Objection as to form. 10 Á I think there was people standing nearby, but I don't 11 THE WITNESS: What do you mean, before that? 11 recall anyone being in line in front of me that I can 12 BY MR. ASHFORD: 12 remember. Who was behind the bar? 13 Before May 31st of 2008. 13 0 Okay. In what regards? 14 I don't know. Had you ever smelled anything that you recognized as 0 There was someone behind the bar, right? being burnt marijuana prior to May 31st of 2008? 16 Á Yes. 17 Ever in my life? 17 Q Who gave you the water? À 18 Yes. 18 0 A 19 But you did not know that person? 19 0 Did you smell the same thing on May 31st of 2008 while I'm sure I had seen them before, even talked to them, 20 20 21 you were attending the event at the CAID? 21 but I couldn't tell you a name. MS. BRUNER-JAMES: Objection as to form and Would you remember their face? 22 22 0 23 foundation. 23 Possibly. I haven't seen any of those people in a THE WITNESS: I don't know. Body order and 24 24 long time. 25 weed can smell very similar. So can a few other 25 When was the last time you were at the CAID?

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1	A	I've been outside of it once or twice since that	1	À	I walked back through the dance floor out the door I
2		event. I've dropped some people off there but I	2		came in,
3		haven't gone back inside since.	3	Q	Okay. Why did you do that?
4	Q	What happened after you got the water?	4	Å	The people I knew at the event, Eric and Anna and
	Å	I walked back outside.	5		them, were outside so I was walking back to where they
ď	Q	Now just to be clear, while you were at the CAID on	6		were.
7	-	May 31st of 2008 you did not see a State of Michigan	7	Q	Okay. During the time that you were at the CAID on
8		liquor license?	8		May 31st of 2008 did you have any alcoholic beverages?
9		MS. BRUNER-JAMES: Objection, Asked and	9	Å	I don't remember.
10		answered,	10	Q	Did you use any illegal narcotics?
11		THE WITNESS: I believe what I said was I	11	A	No.
12		don't know what a liquor license looks like so	12	Q	What did you do once you returned ontside?
13	BY MR.	ASHFORD:	13	A	I tried to talk my friends into leaving.
14	Q	You did not check for a Michigan liquor license?	14	Q	I'm sorry. Who were your friends?
15	Å	No.	15	Å	Eric Johnson, Anna Stotland.
16	Q	So after you received your water you went outside?	16	Q	How do you spell her last name?
17	Å	Yes.	17	Å	8-t-o-t
18	Q	How did you get outside?	18	Q	L-a-n-d?
19		MS, BRUNER-JAMES: Objection as to form.	19	A	Yes. Mary Frazier.
20		THE WITNESS: What do you mean about how did	20	Q	Is that it?
21		1 get outside?	21	A	Neil Matouka.
22	BY MR.	ASHFORD:	22	Q	How do you spell that?
23	Q	Well, did you walk?	23	Å	Ne-i-l. I'm not sure how to spell his last name. 1
24	A	Yes.	24		think it's M-a-t-o-u-k-a,
25	Q	What route did you take?	25	Q	Anyone else?

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1	A	There were a few more people, but I wasn't as good of	1	A	I was outside near the door coming to the inside next
2		friends with them.	2		to a platform with stones.
3	0	During the time that you were at the CAID on May 31st,	3		MR. ASHFORD: Off the record.
4_		2008 did you see Eric Johnson drink any alcoholic	4		(Off the record at or about 12:05 to 12:07
-5-		beverages:	5		D.M.
-6-	-A	Not that I'm aware of.	-6		R-ASHFORD;
7	0	Did you see Anna Stotland drink any alcoholic	7	0	I'm going to show you what's been marked as
8		beverages?	8	•	Defendant's Exhibit Six.
9	A	Not that I'm aware if.	· 9 <sup>-</sup>	À -	Okay,
10	Q	Did you see Mary Frazier drink any alcoholic	10	Q	And also Defendant's Exhibit Three. Is Defendant's
11	•	beverages?	11		Exhibit Three the door that you entered into the CAID?
12	Å	Not that I'm aware of.	12	A	Aren't these the same door?
13	0	Did you see Neil Matouka drinking any alcoholic	13	Q	Yes.
14	_	beverages?	14	Å	I don't believe so. I believe that's the front door.
15	Å	Not that I'm aware of.	15	Q.	Okay. You're saying that the door in Exhibit Six is
16	Q	Did you see any of the four individuals using illegal	16		the front door?
17		narcotics?	17	A	Yes.
18	A	Ño.	18	Q	Okay. Let me show you Defendant's Exhibit Four. In
19	Q	So what was the result of your discussion with your	19		the front of this building you see Contemporary Art
20	-	friends regarding whether to leave the CAID or not?	20		Institute of Detroit and there's two doors, right?
21	Å	They agreed.	21	A	Yes.
22	Q	Okay. Then what happened?	22	Q	Aren't those two doors the front doors?
23	À	Then the police arrived.	23	A	I've never entered through either of those doors.
24	Q	Okay. When the police arrived where were you	24		I've never seen them open.
25	-	standing?	25	Q	Okay. Aren't those the front doors of the building
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<b>2.10 00 10070 07414 10114101</b>			1 9 5 61 15	1 9 10 2013

1		facing Rosa Parks?	1	A	Yes, along the fence on the opposite side is a gate.
2	Á	Those are the doors facing Rosa Parks.	2	Q	So the door that you went into and the door that you
3	Q	So the door in Exhibit Three and the door in Exhibit	3	-	came out of is not shown in Exhibits Three, Four and
4	•	Six are different?	4		Six: is that correct?
•	Å	I thought you said they were the same door.	5	A	Correct,
d	Q	Okay. We're not communicating effectively here. I	6	Q	There's also a door that leads to a terrace area; is
1	•	didn't understand what you meant. Okay. Are they the	1	•	that correct.
8		same doors from your memory?	8	A	That's what I was talking about. I walked directly
9	Á	Yes.	9		into the backyard.
10	Q	Okay.	10	Q	I see. So there's a gate that you can go through to
11	À	I always thought of these as the front doors, and the	11	-	get into the backyard; is that correct?
12		back door as the side door. I suppose you're thinking	12	A	Yes.
13		of this as the front and these as the side, and the	13	Q	So you can enter the backyard two different ways;
14		exit I went in as the back.	14		through the door of the CAID and through a gate. Is
15	Q	Well, it's your deposition so we're trying to get a	15		that correct?
16	•	understanding of how you feel about the doors. So	16	Á	Yes.
17		what would you consider the doors in Exhibit Three and	17	Q	Okay. So you were standing in this terrace area with
18		Exhibit Six? That would be the side or the back door	18		other people, I suppose?
19		to you?	19	A	Yes.
20	A	The front deor,	20	Q	How many other people were out there?
21	Q	That would be the I'm sorry – front door?	21	Ā	How many people were in the backyard, period?
22	À	Yes.	22	Q	Yes.
23	Q	So when you told me you went through the side door,	23	-	MS. BRUNER-JAMES: Objection as to
24	•	would that have been the door opposite facing the	24		foundation. Go ahead.
25		opposite direction to the doors in Exhibit Four?	25		THE WITNESS: I don't know.
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1		MR. ASHFORD: Off the record for a moment.	1	A	I did not see the word "Police" anywhere on his
2		(Off the record at, or about 12:11 to 12:11	2		clothing.
3		p.nt.)	3	Q	I'm going to show you Defendant's Exhibit Six again.
_4_	_BY MR	L ASHFORD:	_4_		In the left part of that photograph there's a
-5	Q	So how did you first notice the police officers?	5	and the section of	gentleman dressed in all black. Do you see that
<u>—6—</u>	_A	A man and a shotgun dressed in all black with a	<u>—6</u> —		gentleman with the word "Police" on his back?
7		bandanna over his face was the first officer I saw.	7	· A	Yes
8	0	And you were still in the backyard when you first saw	8	Q	Is that what the gentleman was wearing who came
9		this officer?	9-		through the back door or the side door of the CAID
10	Å	Yes.	10		which leads into the terrace area or backyard?
11	Q	Had you made any movement to leave by that time?	11	A	I didn't see the word "Police" on his back. It's hard
12	Å	We were just about to head out.	12		to tell from this photo. It looks like he's wearing a
13	Q	So what happened when you saw this officer?	13		jacket or a coat. The person that came out I don't
14	A	I became very scared. I didn't recognize him as an	14		recall as wearing a jacket or a coat. I believe some
15		officer. I thought we were being mugged.	15		of them might have put on more clothing later into the
16	Q	What was he wearing?	16		evening.
17	A	If memory serves black boots, black sweat pants and a	17	Q	How do you know that?
18		black sweater or sweatshirt or something of the sort,	18	A	When I first saw them I didn't any see any identifying
19		and a black bandanna.	<b>19</b> .		characteristics that they were police for sometime,
20		MS. BRUNER-JAMES: Let the record reflect	20		but as the night wore on they seemed to be more and
21		that when the witness said "black bandanna" he	21		more in uniform,
22		gestured in front of the lower part of his face.	22	Q	Would it be fair to say as the night wore on you saw
23	BY MR	A ASHFORD:	23	_	more and more police officers?
24	Q	Was the word "Police" emblazaned across the chest on	24	A	Yes.
25	-	his black shirt or black clothing?	25	Q	Were the police officers dressed differently?
		"			,

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1	A	Yes, they were all dressed differently.	1 .	A	They came out after that. They had pistols, I
2	Q	So you did not see the word "Police" on the clothing	2		believe. I think he was the only one with the
3	•	of any of the officers that came into the backyard?	3		shotgun. I can't remember them interacting with
4	Å	I didn't see it on the first officer. One of the	4		people too much. I mostly remember the man with the
1		subsequent officers that came into the backyard had	5		shotgan doing most of the speaking and interacting.
ė		the word "Police" on her sweat pants on the side I	6	Q	Okay. So then did you get down?
7		believe in letters about this big —		Ā	Yes.
8		MS. BRUNER-JAMES: Let the record reflect it	<b>8</b> i	Q	Then what happened?
9		was about four inches between his thumb and index		Å	One man was inquiring as to why he was being told to
10		finger when he said "this big".	10		get on the ground.
11		THE WITNESS: By that point we were already		Q	Can you describe this man for me?
12		all on the ground and that's when I finally realized		Ā	I didn't get very good of a look at him because I was
13		that these people might be police.	13		already on the ground at this point, but I believe he
14	BY MR.	ASHFORD:	14		was African-American. I believe he was on the talter
15	Q	When they came through the door did they identify	15		side. I believe he was mid-built or skinny.
16	•	themselves as police?	16	Q	Was he refusing to get down?
17	À	No.		Å	No. He was curious and concerned I would say.
18	Q	Was it fairly chaotic out there and noisy when they	18	Q	But he did not get down?
19	•	came through the door?		À	He did not get down as we were told to get down the
20	Å	It was noisy before they came through the door but as	20		first time by the man with the shotgun.
21		soon as he came through the door with his weapon it		Q.	Okay. Then what happened?
22		immediately calmed down.		À	The officer with the shotgun and the man that was
23	Q	Were they shouting when they came through the door?	23		standing had an altercation in which, as best I could
24	À	Yeah. He told us to get the fack down.	24		tell, the officer forced the man to the ground, kicked
25	Q	What about the officers that were following him?	25		him and cursed at him.
	•	ŭ			

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1	Q	Kicked him in what manner?	1		point or the third and fourth were coming through and
2	Å	I'm not sure. I saw a swift movement of his leg and I	2		they were walking around the yard looking around.
3		heard the man cry out.	3	Q	Then what happened?
_4	_Q	Would you refer to that as like tripping someone?	4	A	They started getting us up in groups of five or six, l
5	Ā	He was already on the ground at this point.	5		believe, and moving us into the building.
_6_	_Q	When he kicked him he was already on the ground?	6_	Q	— Do you know what the officers were looking for in the
7	Å	He kicked him while he was on the ground, I'm not	. 7 .		backyard?
8		sure exactly how he got him to the ground. I don't	- 8	A	I believe they were saying something to the effect of
9		belleve it was a voluntary movement.	9 -	-	they were making sure that they had accounted for
10	Q	Then what happened - strike that.	10		everybody.
11		Have you seen this gentleman since May 31st	11	Q	Did you hear the officers say anything else out there?
12		of 2008 who was taken to the ground by that officer?	12	Å	They were talking back and forth to each other a
13	Å	Not as far as I know.	13		little bit. The first time we were told to get down
14	Q	During the large group meeting with your attorneys you	14		nabody really did it. Everybody was just kind of
15		never saw that person?	15		staring at them, I would say shocked, and he ordered
16	Å	I might have seen him while we were in court for the	16		us a second time more forcefully than the first to get
17		fickets some two and a half years ago. I might have	17		down. That's about as much as I remember of the
18		seen him at the meeting before that date where we were	18		conversation,
19		speaking to the lawyers. I feasibly could have run	19	Q	And so you were taken back into the building?
20		into him without knowing it was him since then, but I	20	À	Yes.
21		have not contacted this individual as far as I know.	21	0	Then what happened?
22	Q	Do you recall seeing him since May 31st of 2008?	22	Ā	They lined us up single file against the walls. I was
23	Å	No.	23		lined up on the stage.
24	Q	Okay. What happened after that?	24	Q	Is that in the room where the DJ was?
25	À	The officers – 1 believe there were four at this	25	Ā	Yes

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1	Q	They separated the men and the women?	1		we were made to sit on the stage on our knees with our
2	À	Correct.	2		hands behind our head for several hours.
3	Q	Then what happened?	3	Q	You were identified as a trouble maker?
4	Å	They had us empty out our possessions into plastic	4	Å	No, I was next to them.
7		bags and take our sloes off. Then they came around	5	Q	Oh, you were next to them.
		and patied us down and checked our shoes and took our	6	A	I was lumped into the same category as them due to my
7		stuff.	7		proximity.
8	Q	Okay. Then what happened?	8	Q	Then what happened?
9	Å	They began processing us one by one at a table they	9	A	I'm really sketchy on what happened after that. They
10		had set up in the middle of the room.	10		had me facing the wall with my hands behind my head so
11	Q	Then what happened?	11		I couldn't see very much. I could look back a little
12	A	I get a little bit fuzzy about the exact order of	12		bit every once in a while but they made it very clear
13		events that things happened in next. Aaron Timlin	13		that they didn't want us looking at them.
14		asked to see a search warrant and a badge, but I can't	14	Q	Then what happened?
15		remember exactly what order he asked in. I believe he	15	A	I waited for them to process me.
16		asked for the search warrant first. When he first	16	Q	Okay. Then what happened?
17		asked them they handcuffed him. The second time I	17	A	I was brought up to the table and there was an officer
18		believe he said something to the effect of, well,	18		in uniform, a woman I believe. She's the only one I
19		could I at least see a badge or could I at least see a	19		remember seeing in full uniform. There might have
20		search warrant. An officer struck him in the back of	20		been one other woman in full uniform. She started
21		the bead with a flashlight in his hand. I don't know	21		writing up my tickets. I don't know who this woman is
22		if he hit him with the flash light or his fist.	22		because as far as 1 know they used another officer's
23		There was another individual or two	23		information for my ticket. The one that was writing
24		individuals that they identified as trouble makers and	24		up my ticket wasn't the one that signed it and put her
25		they put all those people on the stage next to me and	25		badge number on it.

RELIANCE COURT REPORTING

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3

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l .	Q	Okay. Then what happened?	1 A	I believe she was —
2	Å	They gave me my tickets, took my car keys, let me go	2 Q	Approximately.
3		to my car and get my school books.	3 A	I believe she was shorter than me and I believe she
4	_Q	Okay, Then what happened?	4	was slightly wider than me. Kind of stocky.
-5	-A	Okay, Then what nappened?  I had to wait around for another half hour to get my	Q	Stocky?
6		possessions back—a half hour or soI can't be	6A_	Yes
7		positive about the time.	- 7 - Q	How tall are you?
8	Q	Then what happened?	8 A	I'm about six foot
9	A	I got my possessions back and I waited outside for the	- · · · Q · · · · Q ·	So she was tall for a female?
10		rest of my friends to finish being processed.	10 A	L can't remember her exact height. I just remember -
11	Q	Can you describe the woman who was writing up your	11	I'm pretty sure I was taller than ber.
12		ticket?	12 Q	So then what happened after your friends came out?
13	Å	She's the only one I remember being in full uniform.	13 A	I asked them how we were supposed to get home since
14		I believe she was African-American. I believe her	14	they took our cars. I asked if they were going to
15		hair she had long hair but it was pulled up onder	15	give us a ride or anything like that and they said,
16		her hat, but I can't be positive at this point.	16	no, we had to call a cab.
17	Q	Okay. So she was in traditional full uniform?	17 Q	Okay. Then what happened?
18	Á	Yes, like I'd expect to see a police officer on the	18 A	I didn't have any money for a cab, but thankfully, my
19		street with.	19	friends allowed me to ride in theirs for free,
20	0	With a badge pinned to her uniform on her chest?	20 Q	Then what happened?
21	Ā	I don't recall.	21 Å	We took a cab back towards Mary Frazier's house. I
22	Q	She had a police hat on?	22	believe we had to walk part of the way. I think the
23	À	I believe so. I didn't see her until, I want to say	23	cab driver dropped us off somewhere by Eight Mile.
24		an hour after this all started though.	24 Q	Then what happened?
25	Q	Can you describe her by height and weight?	25 A	We walked to Mary Frazier's house. A lot of the
	-			

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1		people went upstairs and went to sleep. I spent an	1	Å	I didn't personally, I don't believe.
2		hour or so with them and then went to my house and	2	Q	Thomas, do you believe that you've suffered damages as
3		went to sleep.	3		a result of the incident that occurred on May 31st,
4	Q	How far did you live from Mary Frazier's house?	4		2008 at the CAID as alleged in your complaint?
•	À	Half mile to a mile,	5	Å	Yes.
J	Q	How did you get home from Mary Frzzier's house?	6	Q	Tell me what damages you've suffered.
7	À	I don't remember. By this point my memory was really	7	Ā	It strained already tense family relationships. It
8		hazy. I hadu't slept in some time and I was kind of	8		created problems between me and my mother, and me and
9		shook up. I can't remember whether I walked or	9		my grandfather and my father in general. I feel that
10		somebody gave me a ride.	10		it significantly impacted my ability to go out and
11	Q	Did you have anything to do with getting the Geo Prism	11		interact with people my own age to a certain extent
12	•	back?	12		because now any time I go anywhere in public I have to
13	Ā	Yes, I went down to the impound lot.	13		think in the back of my mind that there's a chance
14	Q	You accompanied your mother?	14		that this could happen again.
15	Å	Yes.	15	Q	Anything else?
16	Q	Was there anyone else with you besides you and your	16	A	I don't know. I suppose I became kind of depressed
17		mother?	17		afterwards, pretty pessimistic about things. I kind
18	Å	My brother could have been with us but I don't believe	18		of felt like I was powerless and the police had the
19		he was.	19		right to do whatever they wanted to do and I didu't
20	Q	What happened when you went to the impound lot?	20		have any recourse to take issue with how they treated
21	Á	I don't know. I wasn't really handling it too much.	21		me.
22		I mostly waited for issues to be resolved and then	22	Q	Anything else?
23		drove the car out.	23	A	I suppose that's it.
24	Q	Did you go to the prosecutor's office at all – the	24	Q	How did it strain your relationship with your family?
25	-	Wayne County Prosecutor's Office?	25	À	They blamed me. They said – they were saying all

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1		kinds of things like I shouldn't have been going out,	1	A	Front side end.
2		I shouldn't have been going to parties or I don't	2	Õ	Okay,
3		know how to say it exactly. They all got really upset	3	¥	MS. BRUNER-JAMES: I don't have any other
4		at me after this. I don't know how to explain it	4		questions
-5		exactly. My brother has had frequent run-ins with			REDIRECT EXAMINATION
6		legal problems and the attitude I got was once I got	6	RV MR	ASHFORD:
7		arrested they were kind of treating me like I was the	7	0	Driver's side or passenger side with the dent?
Ŕ		same as him.	8	Å	Driver's side.
9	0	You were getting a ficket, correct? You were never	· · · · · · · · · · · · · · · · · · ·		MR. ASHFORD: I have nothing further.
10	· ·	placed in handcuffs, correct?	10		Actually, I do have another question.
11	A	No.	11	RV MR	ASHFORD:
12		MR. ASHFORD: I have nothing further.	12	0	Did you repair the dent?
13		MS. BRUNER-JAMES: Let's take a break quick.	13	À	No, it's still there. The handle is still ripped out
14		(Off the record at, or about 12:31 to 12:36	14	А	100, to a suit there. The name is suit ripped out
15		Pury)	15	Q	And the handle is ripped out from what door?
16		cross-examination	16	Å	The driver's side.
17	RV MS	BRUNER-JAMES:	17		The inside of the door?
18	0	Thomas, when you went with your mom to retrieve the	18	Q A	Inside.
19	Y	Geo Prism was it returned to you in the same condition			
20			19	Q	And it wasn't like that when you drove to the initial
		that it had been the last time you had used the car?	20	1	venue the initial art theater on May 31st of 2008?
21	Å	No. The door handle on the driver's side had been	21	A	No, it wasn't. What I've learned since is that's
22		ripped out of the door and there was a dent.	22		not even relevant. No, it wasn't like that at all,
23	Q	Where was the dent?	23		I've seen other bandles break like that but mine
24	A	In the front end.	24		wasn't broken. Best I can figure is the door was
25	Q	Okay,	25		locked and they tried to open it anyway because the

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Geo Prism doesn't have a mechanism to stop the handle CERTIFICATE OF NOTARY from going when the door is locked, so he was probably STATE OF MICHIGAN ) trying to open it and ripped it right out. COUNTY OF WAYNE ) When you say "he" do you know who? A I, Angel Berry, CSR, and Notary Public in and for Okay. the County of Wayne, certify that this transcript, MR. ASHFORD: I have nothing further. consisting of 46 pages, is a complete, true, and correct (Matter concluded.) record of the testimony of Thomas Mahler, held in this case on December 15, 2010. 18 I also certify that prior to taking this 11 deposition, Thomas Mahler was duly sworn to tell the truth. 11 12 12 13 Angel Lee Berry 15 16 16 17 17 18 18 19 19 20 20 21 21 Angel Lee Berry, CSR-7821 Notary Public, Wayne County, Michigan My Commission Expires: April 6, 2012 22 22 23 23 24 24 25 25 RELIANCE COURT REPORTING PELIANCE COURT REPORTING

## EXHIBIT 17

## Transcript of the Testimony of Paul Kaiser

Date: October 21, 2010

Case: Ian & Kimberly Mobley, Paul Kaiser, et al v. City of Detroit, Vicki Yost & Daniel Buglo

> Luzod Reporting Service Inc. Phone:313-962-1176

> > Fax:313-962-7073

Email:office@luzodreporting.com

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

IAN MOBLEY, KIMBERLY MOBLEY,
PAUL KAISER, ANGIE WONG, JAMES
WASHINGTON, NATHANIEL PRICE, JEROME
PRICE, STEPHANIE HOLLANDER, JASON
LEVERETTE-SAUNDERS, WANDA LEVERETTESAUNDERS, WANDA LEVERETTE, DARLENE
HELLENBERG, THOMAS MAHLER and
LAURA MAHLER,

Plaintiffs,

Civil Action No. 10-10675

-VS-

CITY OF DETROIT, VICKI YOST and DANIEL BUGLO,

Defendants.

The Deposition of PAUL KAISER, taken before me, Sherri L. Ruff, CSR-3568, a Notary Public within and for the County of Wayne, State of Michigan, at 1392 East Jefferson Avenue, Detroit, Michigan, on Thursday, October 21, 2010.

#### APPEARANCES:

KATHRYN BRUNER-JAMES, ESQ. DANIEL S. KOROBKIN, ESQ. Goodman & Hurwitz, PC 1394 East Jefferson Avenue Detroit, Michigan 48207

Appearing on behalf of the Plaintiffs,

JERRY L. ASHFORD, ESQ.
DANIEL M. KOESTER, ESQ.
City of Detroit Law Department
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Detroit, Michigan 48226

Appearing on behalf of the Defendant.

LUZOD REPORTING SERVICE (313) 962-1176

#### 2:10-cv-10675-VAR-MKM Doc # 84-18 Filed 04/17/12 Pg 5 of 21 Pg ID 2028

	Page 6		Page {
1	Q. Prior to today, when is the last time you saw Angie?	1	Q. Do you currently practice law?
2	A. I saw her about a week and a half ago.	2	A. Yes.
3	Q. How often have you seen her since April of 2010?	3	Q. What's your P number?
4	A. I saw her often at the beginning, and it's kind of tapered.	4	A. 55598.
5	Q. Since that time?	5	Q. Where do you currently work?
6	A. Yeah.	6	A. I have my own practice, sole practitioner.
7	Q. Mr. Kaiser, do you have a Michigan operator's license with	7	Q. What's the name of your practice?
ઇ	you today?	8	A. Paul M. Kaiser, PC.
9	A. Yes, I do.	9	Q. What's your practice area?
10	Q. May I see it, please?	10	A. Predominantly auto, Workers' Compensation, Social Security
11	A. Sure.	11	disability.
12	MR, ASHFORD: Let the record reflect that	12	Q. Please don't be offended; I ask everyone these same
13	Mr. Kaiser has handed me a Michigan chauffeur's license,	13	questions.
14	number K-260-676-589-477, that expires June 22nd of 2011,	14	Have you ever been arrested during your adult
15	in the name of Paul Matthew Kaiser, 676 Windsong Drive,	15	life?
16	Rochester, Michigan.	16	MS, BRUNER-JAMES: Objection; relevance.
l 7	THE WITNESS: My current address is on the back.	17	THE WITNESS: I have never been arrested.
. ß	MR. ASHFORD: 48307-3592. Date of birth,	18	BY MR. ASHFORD:
19	6/22/1970. No endorsements, with restrictions for	19	Q. Have you ever been convicted of any crime?
20	corrective lens.	20	MS. BRUNER-JAMES: Objection; relevance.
21	New address on the back is 25136 East Roycourt,	21	THE WITNESS: 1991, approximately, a misdemeanor
22	Huntington Woods, Michigan, 48070. The change of address	22	ticket for loud music, I believe, is the only blemish on my
23	occurred on December 11, 2008. Thank you.	23	record, I believe.
24	THE WITNESS: Thank you.	24	BY MR. ASHFORD:
25	The Committee of the Co	25	Q. What jurisdiction was that?
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
	(313) 962-1176		(313) 962-1176
	Page 7		Page 9
1	BY MR, ASHFORD:	1	A That was in Doubles
-L	17.1 (17.15), / 31.71.11 (2.715),	1	A. That was in Pontiac,
1 2		2	<ul><li>A. That was in Pontiac.</li><li>O. Have you ever been issued any other type of misdemeanor</li></ul>
2	Q. Mr. Paul Mr. Kaiser, what's your Social Security number?		Q. Have you ever been issued any other type of misdemeanor
2	<ul><li>Q. Mr. Paul Mr. Kaiser, what's your Social Security number?</li><li>A. You can call Paul; that's fine. 379-74-8549.</li></ul>	2 3	Q. Have you ever been issued any other type of misdemeanor violation since 1991?
2 3 -4	<ul> <li>Q. Mr. Paul Mr. Kaiser, what's your Social Security number?</li> <li>A. You can call Paul; that's fine. 379-74-8549.</li> <li>Q. And is the date of birth on your operator's license</li> </ul>	2 3	Q. Have you ever been issued any other type of misdemeanor violation since 1991?
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2 3 -4 5	<ul> <li>Q. Mr. Paul Mr. Kaiser, what's your Social Security number?</li> <li>A. You can call Paul; that's fine. 379-74-8549.</li> <li>Q. And is the date of birth on your operator's license correct?</li> <li>A. 6/22/1970.</li> </ul>	2 3 4 5	<ul> <li>Q. Have you ever been issued any other type of misdemeanor violation since 1991?</li> <li> MSBRUNER-JAMES: Objection; relevance. Sorry. Go ahead.</li> <li>THE WITNESS: I don't believe that I have.</li> </ul>
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	Page 10			Page 12
1	I believe that I may have provided my attorneys with her	1.	Α.	Maybe five months ago or so.
2	name and address. I can't think of her name at this	2		When is the last time you saw Dr. Byrne approximately?
3	moment.	3	A.	Probably further back than that.
4	Q. Okay.	4	Q.	Have you seen any other physicians regarding any injuries
5	A. And I went once to see a psychiatrist, and I can't recall	5		you suffered at the Contemporary Art Institute of Detroit
6	his name. I may have provided them with the name.	6		on May 31st of 2008?
7	Q. Okay.	7		No.
8	A. And that was in December of that same year, that year I	8	Q.	When is the last time you sought treatment for any
9	had	9		psychiatric or psychological counseling?
10	Q. Do you remember the name of the counselor?	10	Α,	I would say that I went on approximately three occasions
11	A. The psychologist in Birmingham?	11		for tune-up in March, February and March of this year. And
12	Q. Well, you said you underwent some counseling.	12		prior to that, I had not really seen any psychologist or
13	A. That was at Eastwood Clinic, The marriage counseling, that	13		psychiatrist, going back to the last one that we spoke of
1.4	was at Eastwood Clinic in on Rochester Road right at M59	14		previously.
15	or South Boulevard. I think that's maybe Rochester Hills.	15	Q.	You were given prescriptions by your doctors, is that
16	Q. All right. If you have not provided that information to	16		correct?
17	your attorneys, can you do so, please?	1.7		When?
18	A. Certainly.	18	_	By Dr. Steele or Byrne.
19	Q. Did you suffer any type of physical injury as a result of	19		On which occasion?
20	the incident that occurred at the Contemporary Art	20		I don't know. You told me that you received
21	Institute of Detroit on May 31st of 2008?	21		Are you talking about after the CAID event?
22	A. Yes.	22	Q.	After the CAID event, yes, concerning your back and
23	Q. What kind of injury did you suffer?	23		shoulder,
24	A. Back and left shoulder.	24	Α.	Okay, thank you. Yeah, I did receive at least two
25	Q. What kind of back injury did you suffer?	25		different types of medication for that.
	LUZOD REPORTING SERVICE			LUZOD REPORTING SERVICE
	(313) 962-1176			(313) 962-1176
ı				
1	Page 11			Page 13
1	Page 11  A. I think it's contained within my medical records as to what	1	-	. Did you fill those prescriptions?
1 2	A. I think it's contained within my medical records as to what the actual diagnosis was, but I had pain in my back.	1 2	A.	. Did you fill those prescriptions? . Yes.
1	A. I think it's contained within my medical records as to what		A. Q.	Did you fill those prescriptions? Yes. Where?
2	A. I think it's contained within my medical records as to what the actual diagnosis was, but I had pain in my back.	2 3	A. Q.	Did you fill those prescriptions? Yes. Where? Delieve at Walgreens on Thirteen and Ryan in Warren.
2 3	<ul><li>A. I think it's contained within my medical records as to what the actual diagnosis was, but I had pain in my back.</li><li>Q. Did the doctor tell you what was wrong with your back?</li></ul>	2 3	A. Q. - A. Q.	Did you fill those prescriptions? Yes. Where? Delieve at Walgreens on Thirteen and Ryan in Warren. Anyplace else?
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2 3 3 -4-5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>A. I think it's contained within my medical records as to what the actual diagnosis was, but I had pain in my back.</li> <li>Q. Did the doctor tell you what was wrong with your back?</li> <li>AI'm sure that he did, and I can't recall if he told me a specific diagnosis. He did prescribe medication to me.</li> <li>And I believe that's all contained within the medical records, too.</li> <li>Q. Where did you seek medical treatment?</li> <li>A. That was done through my family physician, our primary care physician, Mary Beth Steele, and she's in with Dr. David Byrne, B-y-r-n-e, and they are located in Warren, Michigan. And it was Dr. Byrne that saw me initially after the incident at CAID.</li> <li>Q. And when you refer to CAID, you are referring to the Contemporary Art Institute of Detroit?</li> <li>A. That's correct.</li> <li>Q. How many times did you see Dr. Steele?</li> <li>A. I had seen Dr. Steele prior to the incident in question and subsequent to the incident in question. And, also, it may have been with Dr. Byrne the first time after the my involvement with CAID. I don't recall specifically how many times I have seen them, but I think there is probably only one occasion that speaks of my lower back pain and left shoulder pain.</li> </ul>	2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Q. A. Q. A. Q. A. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. Q. A. Q. Q. Q. Q. A. Q. Q. Q. Q. A. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q.	Did you fill those prescriptions? Yes. Where? Libelieve at Walgreens on Thirteen and Ryan in Warren. Anyplace else? I'm trying to think back. And at that time I was going through I was going through my divorce, and I was residing with my parents in Warren, so I believe that's probably the only place that I filled those prescriptions. And the Walgreens at Thirteen and Ryan is in Warren, Michigan? Yes. Prior to May 31st of 2008, had you ever suffered any type of back injury? I don't believe that there is any medical records that I have sustained a black a back injury prior to that date. I'm trying to go back in my head right now as we are discussing this. I don't know. From your own personal knowledge, prior to May 31st of 2008, have you ever suffered a back injury? I don't believe that I ever have. Prior to May 31st of 2008, did you ever suffer a left shoulder injury?

	Page 14		Page 16
1	baseball. And if I did have any type of left shoulder	1	Q. Have you ever been a member of CAID?
2	injury, it would be during that time from baseball from	2	A. No.
۱ 3	between 1988 and 1992. But I don't recall ever injuring my	3	Q. Now, correct me if I'm wrong, but to gain admittance into
4	left shoulder.	4	the party that you attended on May 31st of 2008, you had to
5	Q. Have you ever sought any strike that.	5	sign up to be a member of CAID?
6	Before May 31st of 2008, had you ever sought any	6	A. I don't recall if I signed anything. I know that Angie
7	medical freatment for your left shoulder?	7	told me she paid a cover charge for me.
8	A. If I did, once again, it would be in the early 1990s.	8.	Q. Did anyone when you were going into the Contemporary Art
9	Q. Since May 31st of 2008, have you sought any type of medical	9	Institute of Detroit, did anyone ask you to become a
10	treatment for your left shoulder unrelated to the May 31st,	1.0	member?
11	2008, incident at CAID?	11	A. I don't recall.
12	A. No.	12	Q. Did you sign anything or any type of application,
13	Q. Since May 31st of 2008, have you sought any type of medical	13	membership application, to be a member?
14	treatment for your back unrelated to the incident that	14	A. I don't believe that I did, but I I don't recall whether
15	occurred on May 31st, 2008, at CAID?	15	I did or didn't.
16	A. No.	16	Q. So you do not currently know if your name is on a
17	Q. Have you ever been hospitalized for your back during your	17	membership list for CAID?
18	adult life?	18	A. That's correct. I have never received anything from them,
19	A. No.	19	either in mailings or anything else.
20	Q. Have you ever been hospitalized during your adult life for	20	Q. You never received anything through the United States
i	any type of left shoulder injury?	21	Postal Service or electronically through e-mail?
21	* **	22	A. I have not received anything, that's correct.
22	A. No.	23	Q. Have you ever gone into the CAID web site?
23	Q. Have you ever been diagnosed with any type of back		A. I believe that after the incident happened, I believe that
24	condition, such as arthritis or anything like that, during	24	* -
25	your adult life?	25	I did, yes. LUZOD REPORTING SERVICE
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			Page 17
	Page 15	4	-
1	A. No.	1	Q. Before the incident, had you ever been to the CAID web
2	Q. Have you ever been diagnosed with any type of disease or	2	site?
3	medical condition related to your left shoulder during your	3	A. No.
4	- adult life?		Did Angie Wong ever tell you that she had been to
5	A. No, other than	5	the CAID web site prior to the May 31st, 2008 incident?
6	Q. Unrelated to the incident that occurred at CAID.	6	•
7	A. Thank you.	7	A. She never told me, that I can recall.
8	Q. That's still a no?	8	Q. Prior to May 31st of 2008, did Angie Wong ever discuss CAID
9	A. Pardon me?	9	with you?
10	Q. That's still a no?	10	A. I don't recall her ever discussing it with me.
11	A. That's good.	11	Q. Prior to May 31st of 2008, did you know anything about
12	Q. Did you understand what I was saying?	12	CAID?
13	A. Yes, I understood you.	13	A. I did not know about CAID, other than the fact of its full
1.4	Q. I completed my question?	14	name, Contemporary Art Institute of Detroit.
15	A. Yes.	1.5	Q. Did you know what kind of business was conducted by the
16	Q. Is that a yes or no answer? You have not sustained any	16	Contemporary Art Institute of Detroit?
17	type of strike that.	17	A. No, I didn't.
1.8	You have not been diagnosed with any type of	18	Q. Had you ever been there before?
19	medical condition related to your left shoulder during your	19	A. No.
20	adult life?	20	Q. Do you have a computer?
21	A. Other than CAID?	21	A. Yes.
22	Q. Other than CAID,	22	Q. Did you have one on May 31st of 2008?
23	A. Correct.	23	A. Yes.
24	Q. Are you currently a member of CAID?	24	Q. Laptop or stand-alone?
25	A. No.	25	A. I think I had a laptop at that time.
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	Page 18		Page 20
	Q. Okay. Do you still have it?	1	A. Approximately one hour.
2	A. I believe that I do, yes.	2	Q. Where were you before you were at the bar?
3	Q. Did you have internet service on May 31st of 2008?	3	A. At Cliff Bell's listening to live jazz in Detroit. I
1 4	A. I'm trying to think back. I was living at my parents'	4	believe that's on Park Street.
5	house. It may have been their desktop that I used. But,	5	Q. How long were you there?
6	yes, I had internet service.	6	A. Approximately one hour.
7	Q. Who provided the internet service?	7	Q. Where were you before Cliff Bell's?
8	A. It was to my parents' house on that date, and if there was	8	A. I had gone to a place called Detroit Pub on Brush and
9	internet service on that date, it probably would have been	9	Gratiot in Detroit with my brother Mark, who drove us to
10	Wow, I believe.	10	the Detroit Pub, just him and I, to watch the Pistons game,
11	Q. Who was your service provider for the laptop?	11	and I think it was the Eastern Conference Finals.
12		12	Q. Who were they playing?
1	A. On May 31st, 2008?	13	A. Celtics.
1.3	Q. Yes.		
14	A. I don't think I had it for the laptop, now that I'm	14	Q. Do you know what game?
15	thinking back, because I was residing with my parents.	15	A. Five or six. I know the Pistons lost, I'm pretty sure.
16	Q. On May 31st of 2008, did you own a cellphone?	16	Q. How long were you there?
1.7	A. Yes.	17	A. Geez, I think the game started it was a later game; I
18	Q. Who was your cell service provider?	18	think it started around 8:30. I think we got there around
19	A. Sprint.	19	9:15, and Angie met us down there probably around 11:15,
20	Q. What was your cellphone number at that time?	20	11:30.
21	A. 248-506-2239.	21	Q. What's Mark's last name?
22	Q. On May 31st, 2008, did you have a Facebook page?	22	A. Kaiser.
23	A. In 2008? 1 don't believe I did.	23	Q. Did you have any intoxicating liquor while you were at the
24	Q. Do you currently have a Facebook page?	24	Detroit Pub?
25	A. Yes.	25	<ol> <li>I had liquor, that had alcohol content.</li> </ol>
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l	Page 19		Page 21
1	Q. Have you ever discussed the Contemporary Art Institute of	1	Q. What did you have to drink?
2	Detroit on your Facebook page?	2.	A. At the Detroit Pub, I had I believe my first drink was a
3	A. No.	3	Red Bull and sugar free Red Bull and Stoli. And the
4.	QDo you have a My-Space page currently?	<u>4</u>	second-drink_was_a_beer
5	A. No.	5	Q. That was your first drink?
6	Q. How did you get strike that.	6	A. That was my first drink.
7	What mode of transportation did you use to get to	7	Q. How many drinks did you have total?
8	the Contemporary Art Institute of Detroit on May 31st,	8	A. At the Detroit Pub?
9	2008?	9	Q. Yes. Yes, sir.
10	A. Motor vehicle.	10	A. Two, I believe.
11	Q. Who was the owner of that motor vehicle?	11	Q. What was your second drink?
12	A. I believe that Angie Wong is the owner of that motor	12	A. A beer.
13	vehicle.	13	Q. What kind?
14	Q. Who was the driver of that motor vehicle?	14	A. I can't recall. It was probably a local beer that they had
15	A. Angic Wong.	15	on tap, but I don't specifically recall.
1		16	Q. Was it a bottle or mug or glass?
16	O. She was driving that night. May 31st, 2008?		C HO IL M CONIA O. WIND O. DIMING.
16	Q. She was driving that night, May 31st, 2008?  A. She drove us to the CAID.		A. Thelieve it was a glass.
17	A. She drove us to the CAID.	17	A. I believe it was a glass.  O. How tall was the glass?
17 18	<ul><li>A. She drove us to the CAID.</li><li>Q. To the CAID. Prior to May 31st of 2008, had you ever been</li></ul>	17 18	Q. How tall was the glass?
17 18 19	<ul><li>A. She drove us to the CAID.</li><li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li></ul>	17 18 19	<ul><li>Q. How tall was the glass?</li><li>A. Probably a pint.</li></ul>
17 18 19 20	<ul><li>A. She drove us to the CAID.</li><li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li><li>A. No.</li></ul>	17 18 19 20	<ul><li>Q. How tall was the glass?</li><li>A. Probably a pint.</li><li>Q. How did you get from Detroit Pub to Cliff Bell's?</li></ul>
17 18 19 20 21	<ul> <li>A. She drove us to the CAID.</li> <li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li> <li>A. No.</li> <li>Q. On May 31st of 2008, where were you coming from immediately</li> </ul>	17 18 19 20 21	<ul><li>Q. How tall was the glass?</li><li>A. Probably a pint.</li><li>Q. How did you get from Detroit Pub to Cliff Bell's?</li><li>A. I believe that Angic, when she came downtown to meet us,</li></ul>
17 18 19 20 21 22	<ul> <li>A. She drove us to the CAID.</li> <li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li> <li>A. No.</li> <li>Q. On May 31st of 2008, where were you coming from immediately before you arrived at the CAID?</li> </ul>	17 18 19 20 21 22	<ul><li>Q. How tall was the glass?</li><li>A. Probably a pint.</li><li>Q. How did you get from Detroit Pub to Cliff Bell's?</li><li>A. I believe that Angic, when she came downtown to meet us, that she drove to that area, or we walked. I can't recall.</li></ul>
17 18 19 20 21 22 23	<ul> <li>A. She drove us to the CAID.</li> <li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li> <li>A. No.</li> <li>Q. On May 31st of 2008, where were you coming from immediately before you arrived at the CAID?</li> <li>A. We were coming from a bar called Whiskey in the Jar,</li> </ul>	17 18 19 20 21 22 23	<ul><li>Q. How tall was the glass?</li><li>A. Probably a pint.</li><li>Q. How did you get from Detroit Pub to Cliff Bell's?</li><li>A. I believe that Angie, when she came downtown to meet us, that she drove to that area, or we walked. I can't recall.</li><li>Q. What kind of car was Angie driving?</li></ul>
17 18 19 20 21 22 23 24	<ul> <li>A. She drove us to the CAID.</li> <li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li> <li>A. No.</li> <li>Q. On May 31st of 2008, where were you coming from immediately before you arrived at the CAID?</li> <li>A. We were coming from a bar called Whiskey in the Jar, located on Yemans Street in Hamtramck.</li> </ul>	17 18 19 20 21 22 23 24	<ul> <li>Q. How tall was the glass?</li> <li>A. Probably a pint.</li> <li>Q. How did you get from Detroit Pub to Cliff Bell's?</li> <li>A. I believe that Angie, when she came downtown to meet us, that she drove to that area, or we walked. I can't recall.</li> <li>Q. What kind of car was Angie driving?</li> <li>A. Ford Mustang.</li> </ul>
17 18 19 20 21 22 23	<ul> <li>A. She drove us to the CAID.</li> <li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li> <li>A. No.</li> <li>Q. On May 31st of 2008, where were you coming from immediately before you arrived at the CAID?</li> <li>A. We were coming from a bar called Whiskey in the Jar, located on Yemans Street in Hamtramck.</li> <li>Q. How long were you there?</li> </ul>	17 18 19 20 21 22 23	<ul> <li>Q. How tall was the glass?</li> <li>A. Probably a pint.</li> <li>Q. How did you get from Detroit Pub to Cliff Bell's?</li> <li>A. I believe that Angic, when she came downtown to meet us, that she drove to that area, or we walked. I can't recall.</li> <li>Q. What kind of car was Angie driving?</li> <li>A. Ford Mustang.</li> <li>Q. What color?</li> </ul>
17 18 19 20 21 22 23 24	<ul> <li>A. She drove us to the CAID.</li> <li>Q. To the CAID. Prior to May 31st of 2008, had you ever been to the Contemporary Art Institute of Detroit?</li> <li>A. No.</li> <li>Q. On May 31st of 2008, where were you coming from immediately before you arrived at the CAID?</li> <li>A. We were coming from a bar called Whiskey in the Jar, located on Yemans Street in Hamtramck.</li> </ul>	17 18 19 20 21 22 23 24	<ul> <li>Q. How tall was the glass?</li> <li>A. Probably a pint.</li> <li>Q. How did you get from Detroit Pub to Cliff Bell's?</li> <li>A. I believe that Angie, when she came downtown to meet us, that she drove to that area, or we walked. I can't recall.</li> <li>Q. What kind of car was Angie driving?</li> <li>A. Ford Mustang.</li> </ul>

	Page 22		Page 24
1	A. Black.	1	A. Yes.
2	Q. Did Angie have anything to drink at the Detroit Pub?	2	Q. You rode with Angie to the CAID in her vehicle?
3	A. I don't know. She didn't come inside, actually; we just	3	A. Yes, as well as my brother.
1 4	came out to her. So she did not have anything to drink at	4	Q. He was also in the car with the two of you?
5	the Detroit Pub.	5	A. Yes, on the way from Whiskey in the Jar to the CAID.
6	Q. Did Mark accompany you to Cliff Bell's?	6	Q. What did you do with his car?
7	A. Yes.	7	A. We parked it in Hamtramck.
8	Q. Was there anyone else with you besides your brother and	8	Q. Prior to stepping inside of the CAID, had you or
9	Angie Wong?	9	Angie Wong strike that.
10	A. No.	10	Prior to stepping inside the CAID, had you had
11	Q. Did you have anything to drink at Cliff Bell's?	11	any unlawful narcotics?
12	A. Yes.	12	A. No.
13	Q. What did you have to drink at Cliff Bell's?	13	MS, BRUNER-JAMES: Objection; relevance.
14	A. I had one beer.	14	BY MR, ASHFORD:
15	Q. Glass or bottle?	15	Q. Prior to you stepping into the CAID on May 31st of 2008,
16	A. I believe it was a glass.	1.6	did you see Angie Wong use any unlawful narcotics?
17	Q. How big was it?	17	MS. BRUNER-JAMES: Objection as to foundation.
18	A. I believe it was a pint.	18	THE WITNESS: No, I did not see her use any
19	Q. Did Angie have anything to drink?	19	unlawful narcotics.
20	A. I don't recall if she had something to drink at	20	BY MR, ASHFORD:
21	Cliff Bell's.	21	Q. Prior to stepping into the CAID on May 31st of 2008, did
22	Q. By something to drink, did she have any intoxicating	22	you see your brother Mark use any unlawful narcotics?
23	liquor?	23	MS. BRUNER-JAMES: Objection as to both relevancy
24	A. I don't recall if she had something.	24	and foundation.
25	Q. You stayed there for one hour?	25	THE WITNESS: No.
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1	Page 23		Page 25
1	,	1	
	Page 23	1 2	Page 25
	Page 23 A. Yes.		Page 25 BY MR. ASHFORD:
2	Page 23  A. Yes, Q. And then you proceeded to another bar called Whiskey in the	2	Page 25 BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes.
2 3	Page 23  A. Yes.  Q. And then you proceeded to another bar called Whiskey in the Jar?	2 3	Page 25 BY MR. ASHFORD; Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15 minutes. Q. Where did you park?
2 3	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  —A. That's correct.	2 3	Page 25 BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the
2 3 4 5	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  —A. That's correct. Q. Did you have anything to drink there?	2 3 4 5	Page 25  BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks.
2 3 4 5 6	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle.	2 3 5 6	Page 25  BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the
2 3 4 5 6	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle?	2 3 5 6 7 8 9	Page 25  BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15 minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks. Rosa Parks is the CAID is on Rosa Parks, correct?
2 3 4 5 6 7 8	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah.	2 3 5 6 7 8 9	Page 25  BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15 minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks. Rosa Parks is the CAID is on Rosa Parks, correct? Q. Yes.
2 3 4 5 6 7 8 9 10 11	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah. Q. So you had a bottle of beer?	2 3 5 6 7 8 9 10	Page 25  BY MR. ASHFORD:  Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes.  Q. Where did you park?  A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks.  Rosa Parks is the CAID is on Rosa Parks, correct?  Q. Yes.  A. So we parked on the east side of Rosa Parks just probably
2 3 5 6 7 8 9 10 11 12	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeal. Q. So you had a bottle of beer? A. Yes. It's more of a dive bar there. I think it was like	2 3 5 6 7 8 9 10 11	Page 25  BY MR. ASHFORD:  Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes.  Q. Where did you park?  A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks.  Rosa Parks is the CAID is on Rosa Parks, correct?  Q. Yes.  A. So we parked on the east side of Rosa Parks just probably 30 yards or so south of CAID.
2 3 5 6 7 8 9 10	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah. Q. So you had a bottle of beer? A. Yes, It's more of a dive bar there. I think it was like Stroh's.	2 3 5 6 7 8 9 10 11 12 13	Page 25  BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15-minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks. Rosa Parks is the CAID is on Rosa Parks, correct? Q. Yes. A. So we parked on the east side of Rosa Parks just probably 30 yards or so south of CAID. Q. Were you on the side of the building where you go into the
2 3 5 6 7 8 9 10 11 12	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah. Q. So you had a bottle of beer? A. Yes. It's more of a dive bar there. I think it was like Stroh's. Q. Did Angie have anything to drink there?	2 3 5 6 7 8 9 10 11 12 13	Page 25  BY MR. ASHFORD:  Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately-15-minutes.  Q. Where did you park?  A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks.  Rosa Parks is — the CAID is on Rosa Parks, correct?  Q. Yes.  A. So we parked on the east side of Rosa Parks just probably 30 yards or so south of CAID.  Q. Were you on the side of the building where you go into the door of CAID?
2 3 5 6 7 8 9 10 11 12 13	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah. Q. So you had a bottle of beer? A. Yes. It's more of a dive bar there. I think it was like Stroh's. Q. Did Angie have anything to drink there? A. I believe that she did have a drink there of alcohol.	2 3 5 6 7 8 9 10 11 12 13 14	Page 25  BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15 minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks. Rosa Parks is the CAID is on Rosa Parks, correct? Q. Yes. A. So we parked on the east side of Rosa Parks just probably 30 yards or so south of CAID. Q. Were you on the side of the building where you go into the door of CAID? A. That's on Rosa Parks. It's right kind of on the corner.
2 3 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah. Q. So you had a bottle of beer? A. Yes. It's more of a dive bar there. I think it was like Stroh's. Q. Did Angie have anything to drink there? A. I believe that she did have a drink there of alcohol. Q. Do you know what kind of drink she had?	2 3 5 6 7 8 9 10 11 12 13 14 15	Page 25 BY MR. ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15 minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks. Rosa Parks is the CAID is on Rosa Parks, correct? Q. Yes. A. So we parked on the east side of Rosa Parks just probably 30 yards or so south of CAID. Q. Were you on the side of the building where you go into the door of CAID? A. That's on Rosa Parks. It's right kind of on the corner. Q. I'm going to show you what's been marked as Defendant's
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2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yes. Q. And then you proceeded to another bar called Whiskey in the Jar?  A. That's correct. Q. Did you have anything to drink there? A. I had one beer. Q. A pint? A. No, a bottle. Q. A bottle? A. Yeah. Q. So you had a bottle of beer? A. Yes. It's more of a dive bar there. I think it was like Stroh's. Q. Did Angie have anything to drink there? A. I believe that she did have a drink there of alcohol. Q. Do you know what kind of drink she had? A. I can't recall. Q. How did you get from Cliff Bell's to Whiskey in the Jar? A. Cliff Bell's to Whiskey in the Jar, we took two cars. I went with my brother, Mark, in his car. Q. And Mark drove that car? A. Yes. Q. And Angie drove her car'? A. Yes.	2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Page 25  BY MR, ASHFORD: Q. How long did it take you to get from the bar Whiskey in the Jar to the CAID?  A. Approximately 15 minutes. Q. Where did you park? A. We came up Rosa Parks, going north, and we parked on the east side of Rosa Parks. Rosa Parks is the CAID is on Rosa Parks, correct? Q. Yes. A. So we parked on the east side of Rosa Parks just probably 30 yards or so south of CAID. Q. Were you on the side of the building where you go into the door of CAID? A. That's on Rosa Parks. It's right kind of on the corner. Q. I'm going to show you what's been marked as Defendant's Exhibit No. 3. Do you recognize that image in Exhibit No. 3? A. Well, I will tell you what, there is not that much in the image. Q. Do you recall going through that door that's depicted in Exhibit No. 3 on May 31st of 2008? A. Where is this door located? Q. Well, really, my question to you is do you recognize it?

Page 28 Page 26 1 Institute of Detroit, and I would like to see the whole 1 before you entered? 2 A. I did not pay the fee. 2 building in perspective to show you which door we went in. 3 3 Q. Do you know how much the fee was? There is not much being depicted in this picture other than A. I was told, I believe, that it was five dollars. 4 an entryway. 4 Ε, Q. So you can't tell me? 5 Q. And you've testified you don't know if that five dollars was a membership fee or for admittance into the party? 6 6 A. I could tell you that when we parked our car, we walked up 7 7 on the opposite side of the street as the CAID. And before A. That's correct. And I was told by Angie that she paid the 8 we got to the next street, we crossed over and went in that 8 9 9 door, which I believe is on the -- it would be on the east Q. Was your hand stamped at all as you entered into the CAID? 10 A. My hand was not stamped; I believe that I got a wrist band. 10 side of the building. Q. What did the wrist band -- strike that. 11 11 And if you have ever been on Rosa Parks, which I 12 was that night, at 1:15 in the morning, it's not very well 12 Why were you given a wrist band, if you know? 13 lit; there is not many lights. And I'm not sure if this 13 A. I do not know. Q. Can you describe the inside of the CAID as you stepped in. 14 picture was taken at night or during the day. But it was 14 A. We stepped in, and as we entered, my brother had 15 very dark as you are walking up to the building. 15 purchased -- I'm assuming purchased; he said he paid for a 16 16 beer in and to the right a little bit. He handed me the 17 17 A. And there is not much in terms of street lighting on that 18 18 beer, and we stepped and went to the left after going in street in those blocks. 19 the door. 19 Q. So what happened after you parked? 20 A. We got out of the vehicle and walked up to the building. 20 Q. So he handed you a beer? 21 Q. When you say we, you are also speaking of Mark and 21 A. Yes. Q. But you did not personally purchase the beer? 22 Angie Wong, correct? 22 23 23 A. That's correct, the three people that were in the car. A. That's correct, Q. And you did not personally go up to the counter where the 24 Q. And when you got to the building, what happened? 24 25 A. We stood in a very -- it seemed to be -- there seemed to be 25 beer was being sold? LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176 Page 29 Page 27 1 a couple people at the entryway of the door. I think --1 A. That's correct. Q. Okay. At any place in the CAID, did you see a liquor 2 I'm assuming that there is about one or two that were 2. 3 working at the door, and then I'm assuming that there is a 3 ---- couple people about to enter the door, A. 1 did not see nor was I looking for a liquor license. 4 Q. Do you know if they had a liquor license? 5 Q. Was there a line to get in? A. Other than a couple people, I don't believe there was a 6 A. I do not know. 6 7 Q. Did you see a City of Detroit dance permit? 7 line. 8 8 MS, BRUNER-JAMES: I object as to foundation. Q. Do you recall who entered first of the three of you, Mark, 9 9 THE WITNESS: I did not see --Angie and yourself? 10 MR, ASHFORD: I want to strike that, actually. 10 A. I believe that Angie went in first. She paid for us, and I 11 11 Let me ask the question again. believe that I went in last. 12 Q. How were you dressed? 12 THE WITNESS: Okay. 13 A. I was wearing a black long sleeved shirt and Jeans. BY MR, ASHFORD: 13 14 Q. How was Angie dressed? 14 Q. Did you see a City of Detroit dance hall permit? 15 MS. BRUNER-JAMES: Objection as to foundation. A. I know she was wearing white high-heeled shoes, I think 15 BY MR. ASHFORD: 16 16 lighter in color. 17 Q. Did she have a dress or did she have a blouse? What kind 17 O. Go ahead. 18 of dress did she have? What kind of clothing was she A. I did not look for nor did I see a dance hall permit. 18 19 19 Q. Do you know if they had one? wearing? 20 A. I think she was wearing like fighter jeans, I believe. You 20 A. I have no knowledge. Q. Do you know if the CAID had a City of Detroit business 21 are asking two years ago what everybody was wearing and 21 22 clothing on a particular night. But I think I do recall 22 license? 23 23 A. I have no knowledge. that she was wearing white jeans. 24 24 Q. Did you see a City of Detroit business license at the CAID Q. So when you entered -- strike that. on May 31st, 2008? 25 Before you entered, did you have to pay the fee 25 LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176

1	Page 30		Page 32
	_	4	
1	MS. BRUNER-JAMES: I object as to foundation,	1	wooden fence.
2	THE WITNESS: I didn't look for nor did I see a business license for the City of Detroit.	2	Q. Were there a lot of people out there in the terrace or outside?
`3  4	BY MR. ASHFORD:	3 4	A. What would you define as a lot of people?
5	Q. So when your brother handed you the beer, where is Angle at	5	Q. I will take your definition, whatever you consider to be a
6	that point?	6	lot of people.
7	A. She was standing next to me.	7	A. I would say that I didn't actually count the number of
8	Q. So what happened after he handed you a beer?	8	people, but I would say anywhere from 30 to 50 people.
9	A. We walked to the left, and it was basically a hallway, and	9	Q. How long were you out there before the Detroit police
10	it opened up to the room. We were on the Rosa Parks' side	10	officers entered into the building approximately?
11	of the building, I believe, so the room opened up to the	11	A. Probably five minutes to seven minutes.
12	right in the back, a large, I don't know, a gallery room.	12	Q. During the time that you were on the property of or
13	Q. Where was the dancing occurring?	13	premises of the Contemporary Art Institute of Detroit, did
14	A. The dancing was occurring throughout the room more in the	14	you see any unlawful conduct?
15	center, I would say. Well, but throughout the entire room	15	MS. BRUNER-JAMES: Objection as to foundation.
16	there was a DJ, and I believe he had turntables and	16	THE WITNESS: No.
17	speakers. As the room opened up, he was to the right. And	17	BY MR. ASHFORD:
18	then there was a back door further back in the back of the	18	Q. Did you see anyone using unlawful narcotics?
19	room.	19	MS. BRUNER-JAMES: Objection as to foundation.
20	Q. As you came through the door of the room where the DJ was,	20	BY MR, ASHFORD;
21	where would this door to the outside have been? Would it	21	Q. Did you see any underage minors being served or buying
22	have been to your right, left or straight ahead?	22	intoxicating liquor?
23	A. It was on the south wall, I believe. Yeah, the south wall.	23	MS. BRUNER-JAMES: Objection as to foundation.
24 25	Q. So what direction would that be if I was coming through the door of that room, right or left or straight ahead?	2.4 2.5	THE WITNESS: I wouldn't know who was underage unless I checked their ID, I guess. But I assumed that
23	LUZOD REPORTING SERVICE	4.0	LUZOD REPORTING SERVICE
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	(515) 502 1170		(313) 302-1170
	Page 31		Page 33
1	A. Well, it wasn't exactly straight ahead, but I would say	1	everybody whoever was drinking was probably legally
2	A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room	2	everybody whoever was drinking was probably legally allowed to drink.
2 3	A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room opened up,	2 3	everybody whoever was drinking was probably legally allowed to drink. BY MR. ASHFORD:
2 3 4	A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room opened up.  ———————————————————————————————————	2 3 4	everybody whoever was drinking was probably legally allowed to drink.  BY MR. ASHFORD:  Q. Did-you-see anyone-in-attendance at the CAID purchasing or
2 3 45	A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room opened up.  Q. Okay.  A. And the door's on the south wall.	2 3 4 5	everybody whoever was drinking was probably legally allowed to drink.  BY MR. ASHFORD:  Q. Did you see anyone in attendance at the CAID purchasing or being served intoxicating liquor after 2:00 a.m.?
2 3 5 6	A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room opened up.  Q. Okay.  A. And the door's on the south wall. Q. South wall?	2 3 <u>-4</u> 5 6	everybody whoever was drinking was probably legally allowed to drink.  BY MR. ASHFORD:  Q. Did you see anyone in attendance at the CAID purchasing or being served intoxicating liquor after 2:00 a.m.?  A. I entered the building very close to two. 1 believe it was
2 3 5 6 7	A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room opened up,  Q. Okay.  A. And the door's on the south wall. Q. South wall? A. Yeah.	2 3 5 6 7	everybody whoever was drinking was probably legally allowed to drink.  BY MR. ASHFORD:  Q. Did.you.see anyone:in-attendance at the CAID purchasing.or. = being served intoxicating liquor after 2:00 a.m.?  A. I entered the building very close to two. I believe it was probably about 1:55. We proceeded my brother purchased
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2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>A. Well, it wasn't exactly straight ahead, but I would say because I was walking south down the corridor, and the room opened up.</li> <li>Q. Okay.</li> <li>A. And the door's on the south wall.</li> <li>Q. South wall?</li> <li>A. Yeah.</li> <li>Q. I understand. And when you came into when you first entered the CAID to get to the room where the DJ was, you would have made a left, correct?</li> <li>A. That's correct.</li> <li>Q. Did you stay</li> <li>A. I had not been back to the CAID since this happened.</li> <li>Q. So when you were strike that.  You were in the room with the DJ, correct?</li> <li>A. Just for a minute.</li> <li>Q. And then you proceeded outside?</li> <li>A. That's correct.</li> <li>Q. And I'm going to show you what's been marked as Defendant's Exhibit No. 4. Do you see the outside area where you were on the night of May 31st, 2008, in Defendant's Exhibit No. 4?</li> <li>A. Once again, this doesn't encompass the entire building, this picture. To get spacial relationship, I'm going to</li> </ul>	2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	everybody whoever was drinking was probably legally allowed to drink.  BY MR. ASHFORD:  Q.— Did_you see anyone:in-attendance at the CAID purchasing.or. = being served intoxicating liquor after 2:00 a.m.?  A. I entered the building very close to two. I believe it was probably about 1:55. We proceeded my brother purchased the beer, and I believe it was before two. And we walked towards into the CAID and then out into the back. And it may have been after two, but I wasn't aware of what was going on at the bar area inside the CAID after 2:00.  Q. Currently, how old is your brother?  A. He was born in '61, January 18, 1961, so he will be 50 in January.  Q. And you have no personal knowledge of what was what had occurred at the CAID before you entered into the CAID?  A. Other than being aware of the name of the CAID, Contemporary Art Institute of Detroit, I had just assumed it was an art gallery, art institute type of establishment where events take place.  Q. Okay. But on May 31st of 2008, before you entered at approximately 1:50 a.m., you had no personal knowledge of what had occurred at that location prior to your entering into the building?

Page 36 Page 34 there that night, but prior -- and that was -- she just A. Some of the attire is the same. I didn't see a standard 1 1 uniform on every officer that came into the CAID. But 2 2 explained that to me, you know, an hour before or so. 3 these officers in this picture -- granted, it doesn't show 3 Q. But you had no personal knowledge of that, though, correct? the -- all the officers that obviously were involved in the A. That's correct, 4 Q. So what happened when the Detroit police officers came in? 5 raid; they appear to be wearing the same uniform. But it's 5 6 A. I was in the back in that court yard, and we were talking also a grainy and dark picture. 6 7 You are taking three officers out of a group of 7 to each other. And we were towards the back fence, the 8 probably 40 that raided. These are -- I don't know if 8 south fence, closer to Rosa Parks. And I know now that 9 these guys were stationed outside before the raid or if 9 they were Detroit police officers that came in, but there 10 they were part of the raid. But I was -- they appear to be were several masked people rushing in with guns and lights, 10 many lights are attached to the guns, screaming to get the 11 wearing the same uniform. 11 12 Q. Thank you. Mr. Kaiser, I'm going to show you what's been 12 fuck down. Yelling for people to get down. 13 And when you say what did they do when they came 13 marked Defendant's Exhibit No. 8. Prior to May 31st of 14 in, they were basically running, you know, screaming, with 2008 -- strike that. 14 I'm showing you what's been marked as Defendant's 15 15 lights and guns pointed. 16 Q. Then what happened? 16 Exhibit No. 8. Prior to entering the CAID, had you ever 17 seen that advertisement? 17 A. They continued in and threatened people to get down. People started going to the ground. 18 18 A. No. Q. Your earlier testimony was that you did not return to the 19 O. Did you know they were police officers at this time? 19 CAID subsequent to May 31st of 2008, is that correct? 20 A. No. When they were rushing in, I didn't know what it was. 20 21 Q. Did they announce that they were police officers, Detroit 21 A. That's correct. 22 22 O. So you did not attend Halloween Funk Night then? police officers? 23 23 A. That's correct. A. I heard -- there was a lot of commotion. There was a lot Q. So you were telling me that these officers were coming in 24 of screaming, and there was a lot of loud voices yelling to 24 25 get down and get the fuck down. And I didn't hear anybody 25 with their guns pointed at you and flashlights. What LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176 Page 35 Page 37 1 happened after that? 1 say it's the police or anything similar to that. 2 2 A. I had been explaining that people started going to the Q. How were they dressed? 3 3 A. Most were dressed in all black. Most of them had masks Q. Were you still outside at this time? .4, 5 Q. The entire face? A. Yes, I was. 6 Q. Then what happened? 6 A. Well, they needed someplace to see. They had it almost 7 A. I thought it would be in my best interest to get down, 7 like in the old west, like a bandana covering up to maybe 8 also, so I -- I -- what I did was, I kneeled to the ground, 8 the top of their nose. I seen a few like that. Some had 9 put my hands on top of my head. 9 camouflage-style dark outfits on. Some had all black in 10 Q. What do you mean kneel? Did you squat or did you get on terms of the mask. A few had uncovered -- they weren't 10 11 your knees? 11 covering their faces. A. I got on my knees. And I hunched forward with my hands on 12 It was very shocking, and it happened very 12 my head, both my hands visible for the officers to see that 13 13 quickly, them coming in, announcing who they are. A lot of loud screaming from the people that were coming into the 14 I wasn't threatening in any way; I leaned forward. 14 The reason I didn't go entirely to the ground, 15 15 place with, you know, guns pointed at you and scopes and because there had been quite -- quite a bit of rain that 16 16 flashlights on the guns pointed at you. It's hard to like 17 stop and like figure out what's happening when you are in 17 had occurred earlier in the day, and it was a pretty muddy, 18 dirty condition in that back courtyard. So I had my hands 18 that kind of shock. on top of my head and hunched forward while I was kneeling 19 Q. I'm going to show you what's been marked as Defendant's 19 20 down on the ground. Exhibits 5, 6 and 7. And what I'm interested in these 20 21 Q. Then what happened? 21 exhibits is the gentleman standing outside the building and A. The officers, once they got control of the situation where 22 22 how they are dressed. 23 everybody was down, came around -- it was hard, you know, 23 Can you tell me if you see the same attire that when you are in that situation; I wasn't really willing to 24 24 you -- in the exhibits that you saw on May 31st of 2008, move my head around and take a look to see what's. 25 25 the same police attire? LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176

1	Page 38		Page 40
1	happening.	1	My concern was not getting kicked again and doing whatever
2	I continued staring at the ground with my hands	2	I needed to do to not get kicked again.
. 3	on my head, elbows forward, kneeling down. And an officer	3	Q. When he stepped on you, did you feel any pain?
4	came over to my body and started searching my pockets,	4	A. I think I answered the question the best that I could. It
5	going into my pockets. And I explained to the officer, I	5	wasn't pain wasn't flowing through my body at that time.
6	said, "My name is Paul Kaiser; I'm an attorney. My ID and	6	My adrenaline was going pretty quick. Most people don't
7	my Bar cards are in my wallet. Can you please tell me	7	feel that type of pain in a fight-or-flight situation like
8	what's going on here?"	8	that. And I don't think that I wasn't concerned about
9	Q. Why did you tell him you are an attorney?	9	feeling pain by this guy; I was concerned for my safety.
10	A. Because, as an officer of the court, you think that maybe	10	And that wasn't the thing I was thinking about.
11.	they will show a little bit of respect and just explain	11	Q. Did you eventually feel pain on your back?
1.2	what's happening. And the fact that I had my Bar card with	12	A. Yes, I did.
13	me, I thought maybe they would at least explain to me	13	Q. When?
14	what's happening.	14	A. Later that night.
15	You want to know what happened instead?	15	Q. Did you eventually feel pain in your left shoulder?
16	Q. Then what happened?	16	A. Yes.
17	A. Yeah, then I one of the officers proceeded to kick me	17	Q. And when did you start feeling that pain?
18	several times in the back until I got down to the ground,	18	A. Like actually, it was the morning time, so later that
19	and then stepped on me.	19	morning on both occasions.
20	Q. What officer was that? Can you identify that officer?	2.0	Q. When did you first treat strike that.
21	A. I wish I could, but I was scared for my life; I didn't want	21	When did you first seek treatment for the pain in
22	to even take a look. I'm facing forward, and I'm getting	22	your back?
23	kicked down.	23	A. I was hoping that this would be something that would just
24	Q. So, Mr. Kaiser, you do not know that police officer's name?	24	go away; I didn't expect it to linger around. I thought
25	A. No, I don't.	25	maybe the back pain or the shoulder pain would go away, so
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1	Page 39		Page 41
[ ,			I was taking over-the-counter Advil and Aleve to deal with
1	Q. You do not know his badge number?	1. 2	it.
2	A. No, I don't. They wouldn't tell me why they were doing the	<i>/</i> .	
	1. A. A A A		
3	raid; I wasn't about to ask for a badge number after	3	Eventually - it's in my medical records - l
4	getting kicked-down to the ground like that	3 =_ =4==	Eventually - it's in my medical records - l
5	Q. Were you injured as a result of the officer kicking you?	3 	Eventually - it's in my medical records - 1
5 6	Q. Were you injured as a result of the officer kicking you?  A. Yes.	3 <u></u> 4 5 6	Eventually - it's in my medical records - 1
5 6 7	Q. Were you injured as a result of the officer kicking you?  A. Yes.  Q. And how were you injured?	3 = <u>=4</u> =- 5 6 7	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?
5 6 7	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder.	3 = <u>=</u> 4= 5 6 7 8	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes.
5 6 7 8 9	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured?	3 5 6 7 8 9	Eventually - it's in my medical records - I  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes,  Q. So you are laying in the mud. Do you still have your hands
5 6 7 8 9	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had	3 = =4= 5 6 7 8 9	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes.  Q. So you are laying in the mud. Do you still have your hands on your head?
5 6 7 8 9	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and	3 5 6 7 8 9 10	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes,  Q. So you are laying in the mud. Do you still have your hands on your head?  A. No, they cuffed me.
5 6 7 8 9 10 11	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was	3 5 6 7 8 9 10 11	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground.	3 5 6 7 8 9 10 11 12	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes,  Q. So you are laying in the mud. Do you still have your hands on your head?  A. No, they cuffed me.  Q. Do you know the name or badge number of the officer that cuffed you?
5 6 7 8 9 10 11 12 13	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you?	3 5 6 7 8 9 10 11 12 13	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes.  Q. So you are laying in the mud. Do you still have your hands on your head?  A. No, they cuffed me.  Q. Do you know the name or badge number of the officer that cuffed you?  A. No. Once again, I wasn't concerned at that point with
5 6 7 8 9 10 11 12 13 14 15	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you?  A. My back.	3 5. 6 7 8 9 10 11 12 13 14	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes.  Q. So you are laying in the mud. Do you still have your hands on your head?  A. No, they cuffed me.  Q. Do you know the name or badge number of the officer that cuffed you?  A. No. Once again, I wasn't concerned at that point with obtaining names and badge numbers. And I wasn't worried
5 6 7 8 9 10 11 12 13 14 15 16	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is	3 5.6 7 8 9 10 11 12 13 14 15	Eventually - it's in my medical records - 1  subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes,  Q. So you are laying in the mud. Do you still have your hands on your head?  A. No, they cuffed me.  Q. Do you know the name or badge number of the officer that cuffed you?  A. No. Once again, I wasn't concerned at that point with obtaining names and badge numbers. And I wasn't worried about looking around to see what was happening, because it
5 6 7 8 9 10 11 12 13 14 15 16	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him	3 5. 6 7 8 9 10 11 12 13 14 15 16	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you?	3 5 6 7 8 9 10 11 12 13 14 15 16 17	Eventually - it's in my medical records - 1
5 6 7 8 9 10 1.1 12 13 14 15 16 17 18 19	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two.	3 5. 6 7 8 9 10 11 12 13 14 15 16 17 18	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two. Q. Well, did you feel pain when he kicked you?	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Eventually - it's in my medical records - 1  probably went five to six days later. When the pain didn'ts subside, that's when I checked it out with the doctor.  Q. When you went to go see the doctor regarding your back, did you also go see him regarding your left shoulder?  A. Yes,  Q. So you are laying in the mud. Do you still have your hands on your head?  A. No, they cuffed me.  Q. Do you know the name or badge number of the officer that cuffed you?  A. No. Once again, I wasn't concerned at that point with obtaining names and badge numbers. And I wasn't worried about looking around to see what was happening, because it was a very threatening situation. I was doing whatever I could to avoid any altereations.  Q. Did you see any strike that.  Besides what you've told me today about your own
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two. Q. Well, did you feel pain when he kicked you? A. I wasn't feeling any pain at that time; I was in shock. It	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Were you injured as a result of the officer kicking you?  A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two. Q. Well, did you feel pain when he kicked you? A. I wasn't feeling any pain at that time; I was in shock. It was a very traumatic experience, going through something	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two. Q. Well, did you feel pain when he kicked you? A. I wasn't feeling any pain at that time; I was in shock. It was a very traumatic experience, going through something like that. And you are just hoping that everything works	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two. Q. Well, did you feel pain when he kicked you? A. I wasn't feeling any pain at that time; I was in shock. It was a very traumatic experience, going through something like that. And you are just hoping that everything works out okay.	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q. Were you injured as a result of the officer kicking you?</li> <li>A. Yes.</li> <li>Q. And how were you injured?</li> <li>A. My back and my left shoulder.</li> <li>Q. How was your left shoulder injured?</li> <li>A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground.</li> <li>Q. Where did he step on you?</li> <li>A. My back.</li> <li>Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you?</li> <li>A. I would I can't separate the two.</li> <li>Q. Well, did you feel pain when he kicked you?</li> <li>A. I wasn't feeling any pain at that time; I was in shock. It was a very traumatic experience, going through something like that. And you are just hoping that everything works out okay.</li> <li>That's not the first thing I was concerned about.</li> </ul>	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Eventually - it's in my medical records - 1
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. Were you injured as a result of the officer kicking you? A. Yes. Q. And how were you injured? A. My back and my left shoulder. Q. How was your left shoulder injured? A. When I came forward, I put and he stepped on me, I had my left hand on the ground, and it just the weight and the pressure did something to my left shoulder as I was trying to brace myself going down to the ground. Q. Where did he step on you? A. My back. Q. What part of your body? So the injury you suffered, is that from him stepping on your back, or is it from him kicking you? A. I would I can't separate the two. Q. Well, did you feel pain when he kicked you? A. I wasn't feeling any pain at that time; I was in shock. It was a very traumatic experience, going through something like that. And you are just hoping that everything works out okay.	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Eventually - it's in my medical records - 1

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1	A. She was kneeling down, too, with her hands up. And I	1	A. They called our names, and they would call a few names at a
2	heard I heard what happened.	2	time. They had a table set up to where that hallway was,
•		3	and they had an officer seated there, like an assembly
3 1 a	Q. Tell me what you heard.		· · · · · · · · · · · · · · · · · · ·
4	A. A female officer said, "You think you are too pretty to get	4	line. They will give you return valuables back and hand
5	in the dirt, bitch?" and kicked her, so she went down.	5	you a ticket, one after the other.
6	They didn't cuff her; they cuffed me.	6	Q. So they had taken the valuables off of you?
7	Q. Then what happened?	7	A. Anything that you had in your pockets, yeah.
8	A. They continued taking or searching all the patrons that	8	Q. Did they actually take the property off of you?
9	were outside, from what I did see.	9	A. I didn't yeah, I wasn't touching it myself. They took
10	Q. Besides the verbal abuse directed towards Angle, did you	10	it out of my pockets.
11	hear any other verbal abuse directed towards any of the	11	Q. You did not give them anything?
12	other attendees from Detroit police officers?	12	A. I didn't give them anything.
13	A. I was focused more on what was happening with us than what	13	Q. So when you were called up, what happened to you
14	was going on around the yard. So I wasn't really looking	14	personally?
15	for any or paying attention to that; I was concerned about	15	A. Stood in a line, got my valuables. The officer was talking
16	us,	16	about what you would do with the car situation. I wasn't
17	Q. Do you know how long you were down on the ground outside?	17	concerned with that because I didn't have a vehicle there.
18	A. Twenty minutes,	18	And she wrote me up gave me the ticket.
19	Q. Did they eventually move you inside the building?	19	Q. Okay,
20	A. That's correct.	20	A. My handcuffs were if you want to know about the handcuff
21	Q. And then what happened?	21	thing. My handcuffs were taken off shortly before that.
22	A. They had everybody go into that gallery that I	22	Q. When were your handcuffs taken off? Since you brought it
23	everybody all the men were in that gallery.	23	up.
24	Q. That's the room where the DJ was?	24	A. All right. After kneeling in that gallery for 30 minutes
25	A. Yes. And the women were taken to another portion of the	25	with these handcuffs on my back, and most of the officers
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	(313) 702-1170		
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1	art gallery, which I had not seen and I didn't know where	1	chit-chatting behind us and knowing that this is not a
2	thou had gone		
3	they had gone.	2	threatening situation for them at this point, I asked a
	Q. So then what happened?	3	female officer if I could speak to her for a moment.
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q. So then what happened?</li> <li>A.: They had us all-kneel down and face forward-to-where that: DJ area was located. And they told us, "Don't look around and don't talk." And I continued kneeling in handcuffs during this time.</li> <li>Q. Why were you kneeling?</li> <li>A. Because they told us to kneel.</li> <li>Q. So all of you were kneeling?</li> <li>A. I'm not sure if all of us were kneeling. It may have been — they told us to sit, and it may have been with handcuffs behind my back. It probably was the reason I was kneeling because I had the cuffs on and trying to get down and sit like Indian style or something.</li> <li>Q. Did you see anyone else with cuffs on besides yourself?</li> <li>A. I thought I saw one or two other people who had cuffs on.</li> <li>Q. How long were you kneeling, approximately?</li> <li>A. Until I left. There was a moment where I used a porta-john restroom. And then, other than that, I was kneeling the entire time.</li> <li>Q. At some time — at some point did the Detroit police officers call you up?</li> <li>A. Yes, they did.</li> </ul>	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	female officer if I could speak to her for a moment.  And I asked—and I explained to the female———————————————————————————————————
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Page 48 Page 46 today. Plaintiffs didn't receive a copy of the subpoena 1 1 even tighter, did you complain to her they were tighter? 2 that, as I understand it, resulted in defendants obtaining 2 A. This is the thing, I wasn't trying to cause any type of 3 3 disturbance. I didn't want anybody to try to get upset these documents. 4 So, for the violation of Rule 45, I'm objecting 4 with me. I tried to just reason and try to explain what 5 to these exhibits. However, in order to not have to call 5 happened. So I wasn't about to just turn around and ask 6 subsequent depositions, but without waiving the objection, 6 her to come back over. 7 I have allowed the witnesses to view them and comment on 7 But what I did about 20 minutes later or so, I 8 8 asked, because they started to allowing people that had to 9 THE WITNESS: I don't know what a U-ticket is, by 9 use the restroom. We had been there so long, they had 10 the way. 10 escorted them to the porta-potties in the back yard. I BY MR. ASHFORD: asked one officer to let me use the restroom. And I 11 11. 12 Q. That's okay. 12 explained my circumstances to him, and I said, "Listen, I 13 gave them my name. I told them I was an attorney; I 13 A. I just know it's a misdemeanor. 14 O. You never heard the misdemeanor ticket that I showed you as 14 practice at 36th District Court. We just got here in the Defendant's Exhibit No. 2 referred to as a U-ticket? 15 1.5 last within five minutes of you guys coming into this 16 place; I was here to pick up a friend." And I reasoned 16 A. That's correct. 17 Q. But you do recognize it as a type of ticket that's given 17 with him, and he took them off. And he had to take them 18 for criminal misdemeanor? 18 off anyway for me to go to the bathroom. He left them off A. That's correct. 19 19 and let me go back. And that was quite a relief after 20 O. How long before you received your possessions back were the 20 being in those handcuffs that long of a time. 21 handcuffs off approximately? 21 Q. The Detroit police officer that took off the handcuffs, do 22 22 A. Fifteen minutes. you know his name? O. After you received your possessions back, then what 23 23 A. No. 24 happened? 24 Q. Or his badge number? 25 25 A. We walked outside. A. No. He was a black guy. LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176 Page 49 Page 47 Q. Can you give me any further description of him? 1 O. Who is we? 2 A. My brother and I. I'm sorry, Mark. 2 A. No, but he was about the only guy that was reasonable by 3 feeling -- just my feelings in that place. 3 O. Did he receive his possessions back before you received ----your possessions back or at the same time? ---4. A. They called us both together. I believe it was 5 A. Occasionally I'm down there. 5 approximately the same time. I don't know which one was 6 Q. When you have practiced at the 36th District Court, have 7 7 you practiced as house counsel? 8 Q. And you walked out of the CAID? 8 Q. Have you represented clients on misdemeanor -- criminal 9 9 A. That's correct. 10 Q. And then what happened? 10 misdemeanor charges? A. We started looking for Angie, and we found her. 11 11 A, Yes. 12 Q. So the ticket that you were given on May 31st, 2008, at the 12 Q. Where was she? CAID, you recognize as being a misdemeanor U-ticket? 13 A. She was further south on Rosa Parks, and she came up to us. 13 There was a lot of commotion out there with all the 14 14 A. Yes. vehicles probably that were towed or in the process of 15 15 Q. Also called a green ticket, correct? A. A misdemeanor U-ticket? I knew it was a misdemeanor, and I 16 being towed. 16 knew it was for loitering at a place of illegal occupation. 17 Q. What did she say to you when she walked up to you? 17 Q. We are referring to Defendant's Exhibit No. 2. This is the A. "They towed my car." 18 1.8 19 19 Q. Then what happened? type of ticket you received, correct, with the charge A. Then we -- we had concluded that we are going to have to go 20 20 loitering at a place of illegal occupation? to find a ride. So I can't recall if we called a taxi or 21 21 A. That's correct. we found a taxi a couple blocks away. 22 MS. BRUNER-JAMES: Quickly, I just want to place 2.2 23 Q. What time of the morning was this? 23 on the record, since we are referring to an exhibit, that A. I think it was close to five. 24 24 yesterday was the first time plaintiffs saw the documents Q. And you were able to get a taxi? that are marked as exhibits, both through yesterday and 25 25 LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176

1	Page 50		Page 52
1	A. We were able to find a taxi.	1	BY MR. ASHFORD:
2	Q. And then what happened?	2	Q. Do you recall her pleading no contest to any criminal
3	A. We took the cab and drove to took the taxi, the three of	3	misdemeanor charge?
4	us, and went back to Hamtramck and picked up my brother's	4	MS. BRUNER-JAMES: Objection; relevance.
5	car.	5	THE WITNESS: The same answer would apply. Keep
6	Q. And then what happened?	6	in mind, also, as an attorney, I handle a lot of different
7	A. And my brother we were still worked up from the entire	7	cases, and a huge it's difficult to recall specifically
8	incident.	8	details of any single case. But I don't I don't believe
9	Q. What do you mean worked up?	9	that she's ever been convicted, pled no contest, been found
10	A. Upset about it. And we decided to go get something to eat	10	guilty of any criminal misdemeanor charges in 36th District
11	at that point.	11	Court.
12	Q. Where did you go?	12	BY MR. ASHFORD:
13	A. We went to Brey's hamburgers on Nine Mile and Dequindre.	13	Q. Do you know if she's ever taken a plea under advisement for
14	Q. How long did you stay there?	14	any criminal charge at 36th District Court?
15	A. Like 30 minutes,	15	MS. BRUNER-JAMES: Objection, relevance.
16	Q. Then what happened?	16	THE WITNESS: I do not know. With me as her
17	A. Went home.	17	attorney, I can almost think no, that she hasn't. I don't
18	Q. How did Angie get home?	18	have any personal knowledge if I wasn't her attorney. Is
19	A. I believe that I believe that my brother drove to my	19	that satisfactory?
20	parents' house, and then I drove her to her parents' house.	.20	BY MR. ASHFORD:
21	Q. So you used your brother's car to take her home?	21	Q. Have you ever represented her in any court in the State of
22	A. No, my car.	22	Michigan on any criminal charge?
23	Q. Because your car was at your parents' home?	23	MS. BRUNER-JAMES: Objection, relevance.
24	A. That's correct, because I moved in with them a short time	24	THE WITNESS: Other than 36th District Court,
25	during my divorce.	25	yes.
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
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	Page 51		Page 53
1	Q. Have you ever represented Angle at 36th District Court?	1	BY MR. ASHFORD:
2	A. Yes.	2	Q. What kind of charge was it?
3	Q. On what kind of charge?	3	A. Oh, gosh, I
5	THE WITNESS: There may have been a speeding	5	THE WITNESS: I know traffic violations, civil
6	ticket and there may have been like a loitering ticket, but	6	infractions. And there is was a misdemeanor in
7	I can't recall specifically what charges that I've appeared	7	Oak Park,
8	for her.	8	
			BY MR. ASHFORD:
	BY MR. ASHFORD:		BY MR. ASHFORD:  O. What kind of misdemeanor was it?
9	BY MR. ASHFORD:  O. Was she convicted of any criminal misdemeanor charges that	9	Q. What kind of misdemeanor was it?
9 10	Q. Was she convicted of any criminal misdemeanor charges that	9	<ul><li>Q. What kind of misdemeanor was it?</li><li>A. Impaired driving.</li></ul>
9 10 11	Q. Was she convicted of any criminal misdemeanor charges that you are aware of?	9 10	Q. What kind of misdemeanor was it?
9 10 11 12	<ul><li>Q. Was she convicted of any criminal misdemeanor charges that you are aware of?</li><li>MS. BRUNER-JAMES: Objection; relevance.</li></ul>	9 10 11	<ul><li>Q. What kind of misdemeanor was it?</li><li>A. Impaired driving.</li><li>Q. Have you ever represented her on any felony case?</li></ul>
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	Page 54		Page 56
1	Q. Okay.	1	not mine,
2	MS. BRUNER-JAMES: Can we take a quick break? I	2	Q. Well, as her friend, did you think she should fight it, or
3	think I'm needed for a second.	3	did you give her advice to fight it?
4	MR. ASHFORD: I only have about five more	4	A. Knowing how things happen in the city, my recommendation
5	minutes; I'm really close.	5	was just to pay it and get the car back. My understanding
6	(Recess taken.)	6	was if you try to contest or appeal this, that your car is
7	MR. ASHFORD: Back on the record.	7	going to be continue to be impounded. I don't know if
8	BY MR. ASHFORD:	8	that's correct or not, but that is what my understanding
9	Q. I believe we were talking about the role you played in	9	is.
10	helping Angie recover her vehicle. And you told me that	10	Q. Had you ever represented anyone in one of these actions
11	you drove her to certain places: 1300 Beaubien, which is	11	against the Wayne County Prosecutor's Office?
12	Detroit police headquarters, and also Wayne County	12	A. No.
13	Prosecutor's Office and the tow yard.	13	Q. And so you watched her pay the \$900, and then what
14	A. That's right. And I went into each place with her.	14	happened?
15	Q. I'm assuming you went to the Wayne County Prosecutor's	15	A. They gave us some type of certificate; I don't know what it
16	Office first, is that correct?	16	was. I didn't really look at it. And they directed us to
17	A. I think we went to the police department, and they sent us	17	the tow yard.
18	over to the Wayne County Prosecutor's Office.	18	Q. Let me go back. Do you know if it was \$900, or not?
19	Q. You went to the Detroit Police Department headquarters?	19	A. I think I believe it was approximately that amount. I
20	A. Yeah.	20	don't know the exact amount.
21	Q. And what happened?	21	Q. And then you drove her over to the tow yard?
22	A. I can't recall if they they directed us over to Wayne	22	A. Yes.
23	County Prosecutor's Office, I believe.	23	Q. Where was the tow yard located?
24	Q. Okay. So then you went to the Wayne County Prosecutor's	24	A. I think hers was on Michigan Avenue.
25	Office?	25	Q. Okay,
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	Page 55		Page 57
1	A. Yes.	1	A. And I don't know how if it was in Dearborn or Detroit,
2	Q. And what happened there?	2	but, you know
3	A. I watched Angie pay whatever the cost was at the time, and	3	Q. So it could have been southwest Detroit or Dearborn?
<u> 4</u>	ger some information as to where to go to-pick-up her care	<u> </u>	A. Is that considered southwest Detroit?
5	at.	5	Q. I would assume so.
6	Q. Were you acting as Angle's attorney at this time regarding	6	A. I don't know.
7	her nuisance abatement issues?	7	Q. Michigan Avenue, which goes which is in Detroit.
8	A. For this?	8	A. It's like the north end, south end of southwest Detroit.
9	Q. Yes.	9	Michigan kind of hugs that more to the north of southwest
10	<ol> <li>No, because I was a defendant.</li> </ol>	10	Detroit.
11	Q. Okay. Well, I just didn't want to this is more like a	1 1.	Q. What happened when you arrived at the tow yard?
12	civil action that you were involved in for the nuisance	12	A. Angie went inside. She told me she had to pay another
13	abatement.	13	impound fee, and we were able to pick up her car out of the
1.4	A. I'm sorry. I wouldn't say I acted as her attorney, no.	14	lot.
15	Just knowing having an idea as to the process, the legal	15	Q. Was there any damage to the car?
16	processes, I was just trying to be there for her.	16	A. I didn't inspect the car. It's her vehicle, but I don't
17	Q. Did she ask you for any legal advice concerning the	17	believe that there was.
18	nuisance abatement charge?	18	Q. Did she tell you that her car is damaged?
1.9	MS. BRUNER-JAMES: Objection; relevance.	19	A. No, she didn't tell me.
20	THE WITNESS: No.	20	Q. Mr. Kaiser, have you suffered any type of damages or
21	BY MR. ASHFORD:	21	injuries from the incident at the CAID on May 31st, 2008,
22	Q. So you can tell me if this invades attorney-client	22	that we have not discussed here today?
23	privilege or not; I don't think it does. Why didn't you	23	A. Yes.
24	guys fight the \$900 nuisance abatement fee or cost?	24	Q. Please tell me about those damages or injuries.
	A. First of all, it's her car, and it's her responsibility,	25	A. Okay. After the incident, I had an increase in my - in
125			
`25 	LUZOD REPORTING SERVICE (313) 962-1176		LUZOD REPORTING SERVICE (313) 962-1176

Page 60 Page 58 dealing with anxiety and depression. And I attribute it 1 but she brought it up in her decision. 1 2 And she awarded temporary custody, instead of 2 now to, first of all, having a misdemeanor hanging over 50/50, what I wanted, she gave my wife four days and me 3 3 your head as an attorney is a pretty serious thing. And you can get suspended from the practice of law if you are 4 three. So she had 52 days more per year in the actual 4 divorce settlement. Because I wanted my children half the 5 convicted of a misdemeanor. And being put in that 5 time, I basically offered to pay additional money, you situation at that time was very traumatic for me dealing 6 6 7 know, if she was willing to bargain on the days so that I 7 with that, and not knowing what the outcome is going to be, 8 get them 50 percent of the time. So I feel that I paid 8 9 9 money for my children's time. And I feel like this was Reading about it in the newspaper that an used against me in that court proceeding in a way. Whether 10 attorney -- you know, thank God my name wasn't in there, as 10 it was here at this time. It's a lot. I don't want to be 11 it was addressed directly or not, I feel like it was used 11 12 against me. I had the misdemeanor hanging over my head, as 12 thought of in that light with my clients. 13 13 an attorney. The other thing is understanding that this is I had a fear of -- here's the other thing: I 14 going on, you know, I might have to report something to the 14 15 spent a lot of money in Detroit. I worked in Detroit. You 15 State Bar regarding this incident, creates a lot of are an attorney; you know these things. We are down here 16 16 anxiety. 17 The mental aspect also that came into play, this 17 quite a bit. I go to the Workers' Comp Bureau; I go to lunch down here. Lused to have season tickets for the 18 ticket, a notice to appear, something came to my -- the 18 Tigers, for the Lions, before the divorce. Entertainment 19 19 actual home that I owned at the time where my wife was down here. I love the city, or I had loved the city, and I 20 20 residing. And we were going through child custody issues, always was proud of it. And I always spoke highly of the 21 21 fighting over the children. I have two children, and we 22 22 had --23 After this incident, my feelings changed quite a 23 O. So you were still married at that time? 24 bit, after having your rights basically trampled on. As an 24 A. Still married. 25 attorney, you always hear stories of clients that tell you, 25 O. When the ticket arrived at that home? LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176 Page 61 Page 59 "This is what happened. This is what happened." And you 1. 1 A. Yeah, that's why I was living with my parents. Yeah, are -- you always look at it kind of like, "Well, you know, 2 2 legally married. this guy has got a long track record. I could see why the 3 3 O. It arrived at the home? 4 A. We went into a child custody hearing, and they listened. police-would do this." But having that happen to you, if that ever 5 5 there is a referee. She's making her basis to award 6 happened to you, to have that feeling come across you that 6 temporary custody of the children to the parents, who she's 7 your rights are being violated, not only your rights being 7 going to give them to, how she's going to divide up the violated, let alone the people that you look to to help you 8 8 parenting time. And, you know, at these type of hearings 9 and protect and serve you are the people that are hitting 9 they allow hearsay, everything in. They want to hear 10 you and kicking you when you are not threatening in any what's going on with the situation. And I was already 10 11 way. It changed my perspective on how I choose to spend my 11 uneasy about that. money, what I choose to do down here. And it's always in 12 12 During the hearing, she brought out the notice to the back of my mind, you know. People wonder why we don't appear for the 36th District Court misdemeanor, loitering 13 13 14 come down from the suburbs. 14 in a place of illegal occupation, and brought it up to the Q. Had you ever had any problem in the City of Detroit before 15 referee. Other than loitering in a place of illegal 15 16 then with the police department? occupation, which to me sounds like I'm in a crack house or 16 A. No, but I'm also -- I feel I'm a law-abiding citizen. 17 17 something. Which, you know, that type of charge, those are Q. Have you ever had problems with the police department since 18 the type of charges you see, as an attorney, when you see 18 19 that time? Strike that, 19 loitering in a place of illegal occupation, it's usually 20 Have you ever had any problem with the Detroit 20 people hanging out in drug houses. That's my take on it. 21 Police Department since that time? 21 And that's probably what she's thinking, and she 22 A. I'm not down here as frequently, but, no. 22 shows it to the referee. You know, how do I explain this 23 Q. What happened with the ticket? 23 to the referee? The referee actually cites the fact that 24 she brought up this ticket in her opinion. She's not 24 A. The ticket was eventually dismissed. Q. Did you represent yourself? saying whether or not it had any bearing on her decision, 25 25 LUZOD REPORTING SERVICE LUZOD REPORTING SERVICE (313) 962-1176 (313) 962-1176

Page 62  1 A. No. 2 Q. Who represented you? 3 A. I initially contacted Gary Janadia, and I believe he put 4 his appearance in on the ticket for Angie and I. 5 Q. Did he represent you to the end? 6 A. What I believe happened is that he adjourned the matter a 6 couple of times because this was going on with the ACLU had 7 taken on a lot of these cases, and they filed a motion. 1 8 think it eventually got dismissed, and we got put on 1 9 had been in contact with them. And the ACLU put me on the 10 list for tickets to be dismissed. And as part of that, the 11 judge's motion, or whatever happened, the agreement between 12 Q. Did you file a complaint with the justice deposition. 1 A. No. 1 A. No. 2 Q. Why not? 3 A. What other areas I mean, they filed in fede they are representing me in a civil action. 9 Q. Let me ask you this: Are you aware of tha file a citizen complaint with the Detroit Police Department? A. I wasn't aware, and if at the time, I'm sure have done some research to figure out what elebut my perspective or perception on that, is an really going to get done by filing a citizen's complaint with the justice deposition.	t you could
Q. Who represented you?  A. I initially contacted Gary Janadia, and I believe he put his appearance in on the ticket for Angie and I.  Q. Did he represent you to the end?  A. What other areas I mean, they filed in feder they are representing me in a civil action.  Q. Let me ask you this: Are you aware of that file a citizen complaint with the Detroit Police couple of times because this was going on with the ACLU had taken on a lot of these cases, and they filed a motion. I think it eventually got dismissed, and we got put on I had been in contact with them. And the ACLU put me on the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed. And as part of that, the list for tickets to be dismissed.	t you could
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list for tickets to be dismissed. And as part of that, the 11 really going to get done by filing a citizen's co	
12 indge's motion or whatever happened the agreement between 12 O Did you file a complaint with the justice dens	
the City of Detroit and ACLU, which I don't know, I was put 13 type of State of Michigan agency regarding a	violation of
on the list, and the ticket was eventually dismissed. 14 your civil rights or police action?	
15 Q. Was the same true for Angie? 15 A. This is the complaint that I'm going with.	
16 A, Yes. 16 Q. Okay. And by this complaint, you are speaking	ng of this
17 Q. Why didn't you represent yourself? 17 lawsuit, correct?	
18 A. Aren't we taught in law school a lawyer who represents 18 A. That's correct.	
19 themselves is a fool for a client? 19 MR, ASHFORD: Thank you. I have no	othing further.
20 Q. I was just wondering why you didn't represent yourself. I 20 THE WITNESS: Thank you.	
21 understand, okay. 21 MS. BRUNER-JAMES: I have a few q	uestions for
22 A. And I took this very seriously, I was I felt like I 22 you.	
23 didn't have a choice but to fight this. I wasn't about to 23 EXAMINATION	
enter any type of plea agreement on there. I would go down 24 BY MS, BRUNER-JAMES:	
at a trial, do whatever it took to get out of this. It was 25 Q. When you first entered the CAID, did you sh	ow your ID to
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i very stressful having this, you know, mark against me. 1 anybody?	
2 Q. Did you appear at the 36th District Court? 2 A. Yes.	İ
3 A. I'm sure I did, I can't recall if he was able I 3 Q. And what was your understanding of the purpo	se of showing
= 4 = appeared at least on one occasion;	
5 Q. Was that for an arraignment? 5 A. If you are over 21, you could be served or are	able to
6 A. No, I believe he was able to waive my arraignment. 6 drink alcohol, or purchase an alcoholic beverag	
7 Q. Okay. And you believe you appeared once, but you don't 7 Q. And you received some kind of identification a	s being over
8 know? 8 2!?	
9 A. I think I appeared down there to meet him, and I think he 9 A. Yes. That wrist band, I believe.	
took care of it. And I don't know if I went in front of 10 Q. When the police first entered the courtyard wh	ere you were
the judge or not; I can't recall. Just keep in mind, I'm 11 standing at the CAID, did you hear any of them	identify
going in front of judges all the time on different cases. 12 themselves specifically as police officers?	
You know, I don't recall if I went in front of a judge. It 13 MR. ASHFORD: Objection; asked and a	nswered, but
1	ļ
14 was just would have been just a pre-trial hearing, which 14 go ahead.	1
14 was just would have been just a pre-trial hearing, which 14 go ahead.	nem
was just — would have been just a pre-trial hearing, which 14 go ahead.  15 is a routine matter. But it's my case, but I don't know if 15 THE WITNESS: I believe that it's in the 16 I actually went in front of the judge. I think he was able 16 transcripts that I said that I never heard any of the second	
was just — would have been just a pre-trial hearing, which is a routine matter. But it's my case, but I don't know if I actually went in front of the judge. I think he was able to explain to the judge that this is — we got this other lawsuit pending right now, or the motion pending, not a go ahead.  THE WITNESS: I believe that it's in the transcripts that I said that I never heard any of the identify themselves as police officers, but that I shouting to get the fuck down or get down or lie.	ney were down. And
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was just — would have been just a pre-trial hearing, which is a routine matter. But it's my case, but I don't know if I THE WITNESS: I believe that it's in the I actually went in front of the judge. I think he was able to explain to the judge that this is — we got this other I identify themselves as police officers, but that the I lawsuit pending right now, or the motion pending, not a lawsuit, but this was before this whole civil lawsuit. A leave the fuck down or get down or lied to explain to the judge that this is — we got this other lawsuit, but this was before this whole civil lawsuit. A leave the fuck down or get down or lied lawsuit, but this was before this whole civil lawsuit. A leave that it's in the transcripts that I said that I never heard any of the identify themselves as police officers, but that the shouting to get the fuck down or get down or lied lawsuit, but this was before this whole civil lawsuit. A leave that it's in the transcripts that I said that I never heard any of the identify themselves as police officers, but that the lawsuit, but this was before this whole civil lawsuit. A leave that it's in the transcripts that I said that I never heard any of the identify themselves as police officers, but that I lawsuit, but this was before this whole civil lawsuit. A leave that it's in the transcripts that I said that I never heard any of the identify themselves as police officers, but that I lawsuit is in the transcripts that I said that I never heard any of the identify themselves as police officers, but that I laws it is in the transcripts that I said that I never heard any of the identify themselves as police officers, but that I laws it is in the transcripts that I said that I never heard any of the identify themselves as police officers, but that I laws it is in the transcripts that I laws it is in the identified in the identified in the identified in the identified in the identified in the identified in the identified in the identified in the identified in the identified in the identifi	ney were down. And them as
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was just — would have been just a pre-trial hearing, which is a routine matter. But it's my case, but I don't know if I THE WITNESS: I believe that it's in the I actually went in front of the judge. I think he was able to explain to the judge that this is — we got this other I identify themselves as police officers, but that I lawsuit pending right now, or the motion pending, not a lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, but this was before this whole civil lawsuit. A lawsuit, lawsuit, have any distinguishing marks identifying police officers either. And I believe that's constitute on lawsuit, have you filed any type of lawsuit, have you filed any type of lawsuit, have you filed any type of lawsuit, have you filed any type of lawsuit, have you filed any type of lawsuit, have you filed any type of lawsuit, lawsuit, have you filed any type of lawsuit, lawsuit, have you filed any type of lawsuit, lawsui	ney were c down. And g them as stent they were
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1	Page 66		Page 68
1	other indications that they were police officers.	1	single picture, and those are several boot prints on my
2	Q. Okay,	2	back from the officers being in the mud.
3	A. That came later.	3	Q. Do you recall approximately what time the picture was
4	Q. You testified earlier that you did not turn around to look	4	taken?
5	for a badge or name tag or description of the officer that	5	A. It had to be around five or 5:30 in the morning on the day
6	kicked you.	6	that we were arrested, 5:30 in the morning, 1 think.
7	A. That's correct.	7	MS. BRUNER-JAMES: Okay. Nothing else.
8	Q. Once you were able or felt free to view the officers, did	8	FURTHER EXAMINATION
9	they have visible badges or name tags?	9	BY MR. ASHFORD:
10	A. Some of them did and some of them didn't. And I was as	10	Q. This picture was taken by Mark, you said?
11	I saw even as I saw the people rushing in immediately,	11	A. Yes. It was taken with a cellphone camera. And, you know,
12	some of them weren't they weren't all wearing the same	12	in 2008, cellphone cameras weren't the best. But I think
13	outfits; they had different bits and pieces. Most of	13	you can get a pretty good idea of the number or multiple
14	them if anything, it was like they had an intent to	14	boot prints on my back.
15	disguise their identity, you know. Looking at people in	15	Q. So is this a photograph of your back?
16	face masks and other things, it was like they were doing	16	A. Yes.
17	everything not to be identified as who they are.	17	Q. And it's taken by Mark Kaiser?
18	MS. BRUNER-JAMES: That's all for me.	18	A. That's correct.
19	MR, ASHFORD: I have just one more question for	19	Q. At some point during the morning hours of May 31st, 2008?
20	you.	20	A. Yes.
21	FURTHER EXAMINATION	21	Q. Is this your upper back?
22	BY MR. ASHFORD:	22	A. This I'm wearing a button-up shirt. This is the bottom
23	Q. When you entered into the CAID and you showed your ID -	23	boot print, as you can see, like near the bottom of the
24	A. Yes.	24	picture. It's probably the top of my buttocks, and then it
25	Q did they tell you why they were requesting to see your	25	goes all the way up to my mid-back. And if you look on the
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$\begin{bmatrix} 1 \end{bmatrix}$	ID?	1	right side of the picture, you can see my arm, the back of
2	A. They didn't say anything to me. I can only assume that	2	my arm, and then up to my elbow, the elbow starts, the
3	they were checking to see if I was of legal drinking age,	3	sleeve going up.
== 4		4	QChank-youEm-sorry-where-was-this-taken-again?
5	purchase an alcoholic beverage.	5	A. At Brey's hamburger place in Hazel Park.
6	Q. Did they tell you why they were putting a wrist band on	6	Q. And it was taken using your brother's cellphone?
7	your wrist?	7	A. My brother's cellphone, yeah.
8	A. They didn't tell me. It was an assumption on my part that	8	Q. Do you know if he still has that cellphone?
9	they were putting a wrist band on my wrist because I'm of	9	A. I do not know. Probably not, but that's I don't have
1.0	legal drinking age.	10	personal knowledge.
11	MR. ASHFORD: Okay. I have nothing further.	11	Q. Is this photograph on your computer?
12	MS. BRUNER-JAMES: I'm sorry, Jerry. I just have	12	A. I don't think that I have this photograph on my computer,
	one more thing. You should have received a copy these in	13	but I believe that my attorneys may have it on their
13			· · · · · · · · · · · · · · · · · · ·
1	your Rule 26.	14	computer.
13	**	14 15	computer.  Q. Do you know how your attorneys received it? Was it from
13 14	your Rule 26.		·
13 14 15	your Rule 26. (Exhibit A, Photograph, marked for	15	Q. Do you know how your attorneys received it? Was it from
13 14 15 16	your Rule 26. (Exhibit A, Photograph, marked for identification.)	15 16	Q. Do you know how your attorneys received it? Was it from you or from Mark?
13 14 15 16 17	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES:	15 16 17	<ul><li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li><li>A. It was I believe from me. I believe I sent it to them.</li><li>Q. Did you send it electronically?</li><li>A. I believe that I did.</li></ul>
13 14 15 16 17 18	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you	15 16 17 18	<ul><li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li><li>A. It was I believe from me. I believe I sent it to them.</li><li>Q. Did you send it electronically?</li></ul>
13 14 15 16 17 18 19	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you recognize that image at all?	15 16 17 18 19	<ul><li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li><li>A. It was I believe from me. I believe I sent it to them.</li><li>Q. Did you send it electronically?</li><li>A. I believe that I did.</li></ul>
13 14 15 16 17 18 19 20	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you recognize that image at all? A. Yes, I do.	15 16 17 18 19 20	<ul> <li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li> <li>A. It was I believe from me. I believe I sent it to them.</li> <li>Q. Did you send it electronically?</li> <li>A. I believe that I did.</li> <li>Q. Do you know if there are any prints of this picture that</li> </ul>
13 14 15 16 17 18 19 20 21	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you recognize that image at all? A. Yes, I do. Q. Can you describe what you see in that image?	15 16 17 18 19 20 21	<ul> <li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li> <li>A. It was I believe from me. I believe I sent it to them.</li> <li>Q. Did you send it electronically?</li> <li>A. I believe that I did.</li> <li>Q. Do you know if there are any prints of this picture that exist?</li> </ul>
13 14 15 16 17 18 19 20 21 22	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you recognize that image at all? A. Yes, I do. Q. Can you describe what you see in that image? A. That's my upper torso from basically my belt line to almost	15 16 17 18 19 20 21 22	<ul> <li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li> <li>A. It was I believe from me. I believe I sent it to them.</li> <li>Q. Did you send it electronically?</li> <li>A. I believe that I did.</li> <li>Q. Do you know if there are any prints of this picture that exist?</li> <li>A. Any actual prints?</li> </ul>
13 14 15 16 17 18 19 20 21 22 23	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you recognize that image at all? A. Yes, I do. Q. Can you describe what you see in that image? A. That's my upper torso from basically my belt line to almost my shoulder. It's a little bit grainy on this image, but	15 16 17 18 19 20 21 22	<ul> <li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li> <li>A. It was I believe from me, I believe I sent it to them.</li> <li>Q. Did you send it electronically?</li> <li>A. I believe that I did.</li> <li>Q. Do you know if there are any prints of this picture that exist?</li> <li>A. Any actual prints?</li> <li>Q. Yes.</li> </ul>
13 14 15 16 17 18 19 20 21 22 23 24	your Rule 26. (Exhibit A, Photograph, marked for identification.) BY MS. BRUNER-JAMES: Q. I'm showing you what's been marked as Exhibit A. Do you recognize that image at all? A. Yes, I do. Q. Can you describe what you see in that image? A. That's my upper torso from basically my belt line to almost my shoulder. It's a little bit grainy on this image, but this was taken by my brother Mark at the restaurant, Brey's	15 16 17 18 19 20 21 22 23 24	<ul> <li>Q. Do you know how your attorneys received it? Was it from you or from Mark?</li> <li>A. It was I believe from me. I believe I sent it to them.</li> <li>Q. Did you send it electronically?</li> <li>A. I believe that I did.</li> <li>Q. Do you know if there are any prints of this picture that exist?</li> <li>A. Any actual prints?</li> <li>Q. Yes.</li> <li>A. I don't know that there are.</li> </ul>

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Page 70
 1
                     (The deposition was concluded
 2
                     at 4:15 p.m.)
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25
                       LUZOD REPORTING SERVICE
                         (313) 962-1176
                                                           Page 71
            STATE OF MICHIGAN )
  2
                        ) ss.
 3
            COUNTY OF WAYNE )
                  I, Sherri L, Ruff, Notary Public within and for
  5
            the County of Wayne, State of Michigan, do hereby certify
 6
            that the witness whose attached deposition was taken before
 7
            me in the above entitled matter was by me duly sworn at the
 8
            aforementioned time and place; that the testimony given by
 9
            said witness was stenographically recorded in the presence
10
            of said witness and afterwards transcribed by computer
11
            under my personal supervision, and that the said deposition
12
            is a full, true and correct transcript of the testimony
13
            given by the witness.
14
               I further certify that I am not connected by blood or
15
            marriage with any of the parties or their attorneys, and
16
            that I am not an employee of either of them, nor
17
            financially interested in the action,
1.8
               IN WITNESS THEREOF, I have hereunto set my hand at the
19
            City of Detroit, County of Wayne, State of Michigan.
20
21
               Date
                         Sherri L. Ruff, CSR-3568
                       Wayne County, Michigan
22
                       My Commission Expires: 9/25/15
23
24
25
                  LUZOD REPORTING SERVICE
                     (313) 962-1176
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## EXHIBIT 18

## Transcript of the Testimony of Angie Wong

Date: October 21, 2010

Case: Ian & Kimberly Mobley, Paul Kaiser, et al v. City of Detroit, Vicki Yost & Daniel Buglo

Luzod Reporting Service Inc.
Phone:313-962-1176
Fax:313-962-7073
Email:office@luzodreporting.com

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

IAN MOBLEY, KIMBERLY MOBLEY,
PAUL KAISER, ANGIE WONG, JAMES
WASHINGTON, NATHANIEL PRICE, JEROME
PRICE, STEPHANIE HOLLANDER, JASON
LEVERETTE-SAUNDERS, WANDA LEVERETTESAUNDERS, WANDA LEVERETTE, DARLENE
HELLENBERG, THOMAS MAHLER and
LAURA MAHLER,

Civil Action
No. 10-10675

Plaintiffs,

-VS-

CITY OF DETROIT, VICKI YOST and DANIEL BUGLO,

Defendants.

The Deposition of ANGIE WONG, taken before me, Sherri L. Ruff, CSR-3568, a Notary Public within and for the County of Wayne, State of Michigan, at 1392 East Jefferson Avenue, Detroit, Michigan, on Thursday, October 21, 2010.

#### APPEARANCES:

KATHRYN BRUNER-JAMES, ESQ. DANIEL S. KOROBKIN, ESQ. Goodman & Hurwitz, PC 1394 East Jefferson Avenue Detroit, Michigan 48207

Appearing on behalf of the Plaintiffs,

JERRY L. ASHFORD, ESQ.
DANIEL M. KOESTER, ESQ.
City of Detroit Law Department
660 Woodward Avenue
1650 First National Building
Detroit, Michigan 48226
Appearing on behalf of the Defendant.

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	Page 2	:	Page ·
	WITNESSINDEX	1	Q. Have you ever given any type of testimony in a proceeding
		2	such as this?
	Witness Examined by Page	3	A. No.
	ANGIE WONG Mr. Ashford 3	4	Q. With a court reporter present?
	Ms. Bruner-James 44	5	A. No.
	Ms. Diunei-James 44	6	Q. Okay. Well, the court reporter is sitting to my left and
		7	sitting to your right, and she's taking down every word
		8	that we say. So I'm going to need verbal answers to my
		9	questions,
		10	A. Okay.
		11	Q. And you've seen court proceedings on television before,
	EXHIBITINDEX	12	correct?
		13	A, Yeah.
	Exhibit No. Description Page	14	Q. This is the same thing, but we are just out of court.
	(None Marked)	15	A. Okay.
		16	Q. It's a more informal setting in a conference room. But you
		17	are under oath, and I just need verbal answers to my
		18	questions.
		19	Also, if I ask you a question and you do not
		20	understand, please let me know, and I will rephrase it
		21	until hopefully you do understand. Okay?
		22	A. All right,
		23	Q. Can you give me your full name, please.
		24	A. Angie Wong.
		25	Q. What's your current address, Angie?
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
	(313) 962-1176		(313) 962-1176
	Page 3	;	Page !
1	Detroit, Michigan	1	A. It's 15744 Van Avenue, Fraser, 48026.
2	Thursday, October 21, 2010	2	Q. How long have you lived there?
3	4:15 p.m.	3	A. Just like two months.
<u>      4                              </u>		4-	— Q:—Who-do-you-live-there-with?
5	ANGIE WONG,	5	A. My grandmother.
6	was thereupon called as a witness herein and, after having	6	Q. What's your grandmother's name?
7	been first duly sworn to tell the truth, the whole truth and	7	A. Jun Yow (ph) Leung. I'm not sure how you spell her first
8	nothing but the truth, was examined and testified as	8	name, but I can spell her last name.
9	follows:	9	Q. That was going to be my next question.
1.0	MR. ASHFORD: Let the record reflect that this is	10	A. L-e-u-n-g
11	the deposition of Angie or Angela?	11	Q. How old is she approximately?
12	THE WITNESS: Angie.	12	A. I think she's like 73.
13	MR. ASHFORD: Angie Wong, taken pursuant to the	13	Q. Where did you live before that?
14	Michigan strike that. Taken pursuant to the Civil Rules	14	A. At my parents'.
15	of Federal Procedure, with notice to all parties. And to	15	Q. And what's their address?
16	be used for any and all purposes allowed under the Federal	16	A. 20307 Sunny Side, St. Clair Shores, 48080.
17	Rules of Civil Procedure.	17	Q. And had you lived there since your childhood with your
1.8	EXAMINATION	18	parents?
19	BY MR. ASHFORD:	1.9	A. I have lived there for like three years. Before that I had
	Q. Good afternoon, Ms. Wong. My name is Jerry Ashford, and I	20	a house with my ex, and I lived with my friend, like one of
20	represent the City of Detroit and the Detroit police	21	my girlfriends.
20 21	•		O Okay
2 <b>0</b> 21 22	officers in this lawsuit that you have brought.	22	Q. Okay.
20 21 22 23	officers in this lawsuit that you have brought.  Have you ever given any type of court testimony	23	A. I had a loft downtown.
20 21 22 23 24	officers in this lawsuit that you have brought.  Have you ever given any type of court testimony before?	23 24	<ul><li>A. I had a loft downtown.</li><li>Q. And what was that address?</li></ul>
2 <b>0</b> 21	officers in this lawsuit that you have brought.  Have you ever given any type of court testimony before?  A. No.	23	<ul><li>A. I had a loft downtown.</li><li>Q. And what was that address?</li><li>A. To which place?</li></ul>
20 21 22 23 24	officers in this lawsuit that you have brought.  Have you ever given any type of court testimony before?	23 24	<ul><li>A. I had a loft downtown.</li><li>Q. And what was that address?</li></ul>

1	Page 6			Page 8
1	Q. To the loft.	1	Q.	Yes.
2	A. I lived at the Brooklyn Lofts and Milwaukee Lofts.	2	-	Oh, Wayne County, Holy Cross Hospital.
3	Q. Is that you said Milwaukee Lofts; is that in Detroit?	3		What city?
1 4	A. Yeah, that's like at Milwaukee and East Grand.	4	-	Detroit.
5	Q. I see. How long did you live there?	5		Did you attend high school in Detroit?
1		6	Α.	
6	A. About a year.	7		
7	Q. And who did you live there with?			Where did you attend high school?
8	A. I lived there with my ex.	8		I went to three different high schools. I went to Fraser,
9	Q. What's his name?	9		outh Lake and North Lake.
10	A. Derek Smith.	10		Why did you go to three different high schools?
11	Q. Okay. And approximately what time did that relationship	11		Because my parents moved to St. Clair Shores during my
12	end?	12	fi	reshman year, and then that's when I went to South Lake.
13	A. I was with him when I was like 19 years old. About five,	13	A	and I switched over from South Lake I got dropped from
14	six years.	14	S	outh Lake, so I ended up going to North Lake.
15	Q. So approximately 2004, 2005?	15		You said you got dropped from South Lake?
16	A. Yeah.	16	-	Yeah.
l	Q. Your relationship ended with him before your relationship	17		What does that mean?
17	•	18	`	I think I got suspended for a semester, so that's how I
18	with Mr. Kaiser?			
19	A, Yes.	19		nded up at North Lake.
20	MS. BRUNER-JAMES: Objection; relevance.	20	Q.	Why did you get suspended?
21	BY MR. ASHFORD:	21		MS. BRUNER-JAMES: Objection; relevance.
22	Q. At some point you had a relationship with Mr. Kaiser?	22		THE WITNESS: Because this kid was making racial
23	A. Yes. Paul was my boyfriend.	23	S	lurs to me, and I threw a book at him and accidentally hit
24	Q. For how long?	24	h	im in the face. I wasn't trying to hit him in the face
25	A. For about two-and-a-half years.	25	V	vith it.
	LUZOD REPORTING SERVICE			LUZOD REPORTING SERVICE
	(313) 962-1176			(313) 962-1176
3 I	Page 7			Page 9
1	Q. Are you still in a relationship with Mr. Kaiser?	1	BY	MR. ASHFORD:
2	A. No.			
1		2	•	Was he hurt?
3	Q. When did that relationship end?	3	À.	No.
3 4	A. Like-six,-seven-months-ago.		À. ==Q=	No. =So-from=South=Lake-you=went-to-what-high-school?
1		3	À. <del>-</del> Q. A.	No. So-from-South-Lake-you-went-to-what-high-school?— North Lake.
4=	A. Like-six,-seven-months-ago.	3 4	À. <del>-</del> Q. A.	No. =So-from=South=Lake-you=went-to-what-high-school?
<u>4</u> 5	A. Like six, seven-months ago.  Q. Do you have a Michigan operator's license with you?	3 4 5	A. —Q. A. Q.	No. So-from-South-Lake-you-went-to-what-high-school?— North Lake.
<u>4</u> 5 ຍ່	A. Like six, seven-months ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.	3 4 5 6	A. =Q. A. Q. A.	No. <u>So-from-South-Lake-you-went-to-what-high-school?</u> North Lake, North Lake?
<u>4</u> 5 6 7	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I see it, please?	3 4 5 6 7	A. ————————————————————————————————————	No. <u>So-from-South-Lake-you-went-to-what-high-school?</u> North Lake.  North Lake?  Yes.
5 6 7 8	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I sec it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license,	3 5 6 7 8	A. —Q. A. Q. A. Q. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake.  North Lake?  Yes.  And where is that located?  St. Clair Shores.
5 6 7 8 9	<ul> <li>A. Like six, seven-months ago.</li> <li>Q. Do you have a Michigan operator's license with you?</li> <li>A. Yes.</li> <li>Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012,</li> </ul>	3 4 5 6 7 8 9 10	A. Q. A. Q. A. Q. A. Q.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake?  Yes.  And where is that located?  St. Clair Shores.  Is that an alternative school?
5 6 7 8 9 10	<ul> <li>A. Like six, seven-months-ago.</li> <li>Q. Do you have a Michigan operator's license with you?</li> <li>A. Yes.</li> <li>Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angie Wong. 20307 Sunny Side Street,</li> </ul>	3 5 6 7 8 9 10	A. Q. A. Q. A. Q. A. Q. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake?  Yes.  And where is that located?  St. Clair Shores.  Is that an alternative school?  Yes.
5 6 7 8 9 10 11 12	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angie Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth,	3 5 6 7 8 9 10 11	A. Q. A. Q. A. Q. A. Q. A. Q.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake.  North Lake?  Yes.  And where is that located?  St. Clair Shores.  Is that an alternative school?  Yes.  Did you graduate from that school?
5 6 7 8 9 10 11 12	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angie Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth, February 2nd, 1996. No endorsements, restrictions	3 5 6 7 8 9 10 11 12 13	A. Q. A. Q. A. Q. A. Q. A. Q. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake.  North Lake?  Yes.  And where is that located?  St. Clair Shores.  Is that an alternative school?  Yes.  Did you graduate from that school?  No.
5 6 7 8 9 10 11 12 13	<ul> <li>A. Like six, seven-months-ago.</li> <li>Q. Do you have a Michigan operator's license with you?</li> <li>A. Yes.</li> <li>Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angie Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth, February 2nd, 1996. No endorsements, restrictions corrective lens, with an address change on the back of the</li> </ul>	3 5 6 7 8 9 10 11 12 13 14	A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. Q. A. A. Q. A. Q. A. Q. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. A. Q. A. A. A. A. A. A. A. A. A. A. A. A. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake?  Yes.  And where is that located?  St. Clair Shores. Is that an alternative school?  Yes.  Did you graduate from that school?  No.  Did you eventually get a GED?
5 6 7 8 9 10 11 12 13 14	<ul> <li>A. Like six, seven-months-ago.</li> <li>Q. Do you have a Michigan operator's license with you?</li> <li>A. Yes.</li> <li>Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angic Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth, February 2nd, 1996. No endorsements, restrictions corrective lens, with an address change on the back of the operator's license as 15744 Van Avenue, apartment 337-B,</li> </ul>	3 5 6 7 8 9 10 11 12 13 14	A. — Q. A. Q. A. Q. A. Q. A. Q. A. Q. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake.  North Lake?  Yes.  And where is that located?  St. Clair Shores.  Is that an alternative school?  Yes.  Did you graduate from that school?  No.  Did you eventually get a GED?  Yes.
5 6 7 8 9 10 11 12 13 14 15	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angic Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth, February 2nd, 1996. No endorsements, restrictions corrective lens, with an address change on the back of the operator's license as 15744 Van Avenue, apartment 337-B, Fraser, Michigan, 48026. Address change was made on	3 5 6 7 8 9 10 11 12 13 14 15 16	A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. A. Q. A. A. A. A. A. A. A. A. A. A. A. A. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake?  Yes. And where is that located?  St. Clair Shores. Is that an alternative school?  Yes. Did you graduate from that school?  No. Did you eventually get a GED?  Yes.  What year did you get a GED?
-4-5 6 7 8 9 10 11 12 13 14 15 16 17	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angie Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth, February 2nd, 1996. No endorsements, restrictions corrective lens, with an address change on the back of the operator's license as 15744 Van Avenue, apartment 337-B, Fraser, Michigan, 48026. Address change was made on July 28, 2010. Thank you, ma'am.	3 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake.  North Lake?  Yes.  And where is that located?  St. Clair Shores.  Is that an alternative school?  Yes.  Did you graduate from that school?  No.  Did you eventually get a GED?  Yes.  What year did you get a GED?  I got it like five years ago approximately.
-4-5 6 7 8 9 10 11 12 13 14 15 16 17	A. Like six, seven-months-ago.  Q. Do you have a Michigan operator's license with you?  A. Yes.  Q. May I see it, please?  MR. ASHFORD: Let the record reflect that  Ms. Wong has handed me a Michigan operator's license, number W-520-067-007-088, which expires February 2, 2012, and in the name of Angie Wong. 20307 Sunny Side Street, St. Clair Shores, Michigan, 48080-4239. Date of birth, February 2nd, 1996. No endorsements, restrictions corrective lens, with an address change on the back of the operator's license as 15744 Van Avenue, apartment 337-B, Fraser, Michigan, 48026. Address change was made on July 28, 2010. Thank you, ma'am.  BY MR. ASHFORD:	3 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. Q. A. A. A. Q. A. A. A. A. A. A. A. A. A. A. A. A. A.	No.  So-from-South-Lake-you-went-to-what-high-school?  North Lake.  North Lake?  Yes.  And where is that located?  St. Clair Shores. Is that an alternative school?  Yes.  Did you graduate from that school?  No.  Did you eventually get a GED?  Yes.  What year did you get a GED?  I got it like five years ago approximately.  Angie, how old are you?
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1	Page 10		Page 12
1	Q. And how long have you worked there?	1	(Discussion off the record.)
2	A. About three years.	2	BY MR. ASHFORD:
3	Q. And what do you do at Bouzouki Lounge?	3	Q. So you told me about the DUI. Were you ever convicted of
1 4	A. I'm an entertainer.	4	that charge?
5	Q. Also called a dancer?	5	MS. BRUNER-JAMES: Objection; relevance.
6	A. Yep.	6	THE WITNESS: Yes, I was.
7	Q. Where did you work before the Bouzouki Lounge?	7	BY MR, ASHFORD:
8	A. I have worked at Player's, Coliseum.	8	Q. Did you spend any time in jail on that charge?
9	Q. How long were you at Player's?	9	MS, BRUNER-JAMES: Objection; relevance.
10	A. I bounced around from place to place. They don't pay me to	10	THE WITNESS: I just spent they took me to
11	work at their club, so I'm considered as an independent	11	jail over night; that was it. I got released the next day.
12	contractor. And I pretty much go to work when I want to go	12	BY MR. ASHFORD:
13	to work.	13	Q. But once you were convicted, you didn't spend any time in
14	Q. And you can go from one place to the other anytime you	14	jail for it?
15	want?	15	A. Oh, no.
16	A. Anytime I want to.	16	Q. So besides being arrested for the DUI and the shoplifting
17	Q. How long have you been an entertainer at the Detroit	17	when you were 17, have you been arrested any other times?
18	various adult entertainment clubs?	18	MS. BRUNER-JAMES: Objection; relevance,
19	A. Six years.	19	THE WITNESS: No.
20	Q. Six years; is that what you said?	20	BY MR. ASHFORD:
21	A. Yep.	21	Q. You have never been arrested performing in Detroit's clubs?
-22	Q. Have you ever served any time in the military?	22	A. No.
23	A. No.	23	MS, BRUNER-JAMES: Objection; relevance.
24	Q. Have you ever been arrested?	24	THE WITNESS: No, I got a ticket.
25	MS, BRUNER-JAMES: Objection; relevance,	25	
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ļ	Page 11		Page 13
1	THE WITNESS: Yes, I have.	1	BY MR. ASHFORD:
2	BY MR, ASHFORD:	2	Q. You've gotten a ticket before?
3	Q. How many times?	3	A. Yes, a ticket.
<u> </u>	A. I have been arrested for a DUI-that I got.	4	Q. Did-you-have-to-appear-in-36th-District-Court?
5	Q. Was that in Oak Park?	5	A. Yes,
6			
	A. Yes, in Oak Park.	6	MS. BRUNER-JAMES: Objection; relevance.
7	A. Yes, in Oak Park. O. What other times have you been arrested?		MS. BRUNER-JAMES: Objection; relevance. THE WITNESS: Sorry.
7 8	Q. What other times have you been arrested?	6	*
8	<ul><li>Q. What other times have you been arrested?</li><li>MS. BRUNER-JAMES: Objection; relevance.</li></ul>	6 7	THE WITNESS: Sorry.
8 9	<ul><li>Q. What other times have you been arrested?</li><li>MS, BRUNER-JAMES: Objection; relevance.</li><li>THE WITNESS: I got a shoplifting charge when I</li></ul>	6 7 8	THE WITNESS: Sorry. BY MR. ASHFORD:
8 9 10	<ul><li>Q. What other times have you been arrested?</li><li>MS. BRUNER-JAMES: Objection; relevance.</li></ul>	6 7 8 9	THE WITNESS: Sorry. BY MR. ASHFORD: Q. Did Mr. Kaiser represent you on that ticket?
8 9 10 11	<ul> <li>Q. What other times have you been arrested?</li> <li>MS. BRUNER-JAMES: Objection; relevance.</li> <li>THE WITNESS: I got a shoplifting charge when I was like 17.</li> <li>BY MR. ASHFORD:</li> </ul>	6 7 8 9 10	THE WITNESS: Sorry.  BY MR. ASHFORD:  Q. Did Mr. Kaiser represent you on that ticket?  MS. BRUNER-JAMES: Objection; relevance.
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1	Page 14		Page 16
1	BY MR. ASHFORD:	1	THE WITNESS: No.
2	Q. What happened to the ticket?	2	BY MR, ASHFORD:
1 3	A. I think actually no, wait, it was the clubs provided	3	Q. Have you ever been I ask everybody these questions.
4	the attorney, the club owner. That's when I worked at	4	Have you ever been treated for substance abuse?
5	Cheetah's. That was like five years ago.	5	MS. BRUNER-JAMES: Objection; relevance.
6	Q. Do you know who the attorney was?	6	THE WITNESS: Alcohol abuse for my DUI.
7	A. No, I don't. I actually don't remember, so I don't know.	7	BY MR, ASHFORD:
8	Q. When you were in a relationship with Paul, he did represent	8	Q. Okay.
9	you in court, though?	9	A. It was out-patient counseling.
10	A. Yes, for my DUI.	10	Q. Was that part of the court's sentence?
11	Q. Any other cases?	11	A. Yes.
12	MS. BRUNER-JAMES: Objection; relevance.	12	Q. Or probation?
13	THE WITNESS: No.	13	A. Yes.
14	BY MR. ASHFORD:	14	Q. Any other time?
15	Q. You sure about that?	15	MS. BRUNER-JAMES: Objection; relevance.
16	A. Actually, no. I'm sorry, I'm bad for memory right now.	16	THE WITNESS: No. Not that I can think of, no.
17	Q. Can you recall any other cases he represented you on	17	BY MR. ASHFORD:
18	besides the DUI?	18	Q. Where did you receive this substance abuse treatment?
19	MS. BRUNER-JAMES: Objection; relevance.	19	MS. BRUNER-JAMES: Objection; relevance.
20	THE WITNESS: I got a ticket for a blind pig, and	20	THE WITNESS: Pioneer Counseling; it's in
21	I think I believe I think he did, he represented me.	21	Sterling Heights,
22	BY MR. ASHFORD:	22	BY MR, ASHFORD:
23	Q. The blind pig that ticket that you are referring to, is	23	Q. Was it in-patient or out-patient?
24	that the ticket from when you were in the Contemporary Art	24	A. Out-patient.
25	Institute of Detroit?	25	Q. How long was the program?
2.5	LUZOD REPORTING SERVICE	23	LUZOD REPORTING SERVICE
	(313) 962-1176		(313) 962-1176
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1	Page 15		Page 17
1	A. No.	-	
I		1	MS. BRUNER-JAMES: Objection; relevance.
2.	Q. Where was this blind pig located?	2	THE WITNESS: About like three, three-and-a-half
2	<ul><li>Q. Where was this blind pig located?</li><li>A. This was somewhere in Corktown.</li></ul>	2 3	THE WITNESS: About like three, three-and-a-half months.
2 3	Q. Where was this blind pig located?  A. This was somewhere in Corktown.  —Q.—Okay.—Do-you-remember-the-date-that-you-were-given-that—	2 3 4	THE WITNESS: About like three, three-and-a-half months.  BY-MR-ASHFORD:
2 3 —4— 5	<ul> <li>Q. Where was this blind pig located?</li> <li>A. This was somewhere in Corktown.</li> <li>Q. Okay. Do-you-remember-the-date-that-you-were-given-that-citation?</li> </ul>	2 3 4 5	THE WITNESS: About like three, three-and-a-half months.  BY MR. ASHFORD:  Q. What year did the DUI occur?
2 3 4 5 6	<ul> <li>Q. Where was this blind pig located?</li> <li>A. This was somewhere in Corktown.</li> <li>Q. Okay. Do-you-remember the date-that-you-were-given-that-citation?</li> <li>A. No. I'm not sure of it.</li> </ul>	2 3 4 5 6	THE WITNESS: About like three, three-and-a-half months.  BY MR. ASHFORD:  Q. What year did the DUI occur?  A. 2009.
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2 3 5 6 7 8	<ul> <li>Q. Where was this blind pig located?</li> <li>A. This was somewhere in Corktown.</li> <li>Q. Okay. Do-you-remember-the-date-that-you-were-given-that-citation?</li> <li>A. No. I'm not sure of it.</li> <li>Q. Okay.</li> <li>A. 1 know it was like I think around like winter time.</li> </ul>	2 3 45 6 7 8	THE WITNESS: About like three, three-and-a-half months.  BY-MR. ASHFORD:  Q. What year did the DUI occur?  A. 2009.  Q. Was the substance abuse counseling helpful?  MS. BRUNER-JAMES: Objection; relevance.
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	Page 18		Page 2
1	Q. And you did not seek medical treatment for that?	1	A. I paid for a fee for me, Paul and his brother.
2	A. No.	2	Q. Okay. Did anyone tell you you had to be a member to get
3	Q. And we'll get more into that later on. You can tell me	3	in?
4	about that, but I just wanted to know if you suffered any	4	A. No.
5	injuries.	5	Q. Did you fill out any type of paperwork or application to
5	Have you ever been on the CAID web site?	6	become a member of the CAID at that time?
7	A. No.	7	A. No.
3	Q. Have you discussed the May 31st, 2008, CAID incident on the	8	Q. Had you ever been to the CAID prior to May 31st of 2008
) }	internet?	9	A. Yes, I have.
	A. No.	10	Q. What kind of events had you attended at the CAID?
)		11	A. Funk Night.
_	Q. Do you have a Facebook page?	12	Q. How many times?
2	A. Yes.		A. Like two or three times.
}	Q. Have you discussed the incident on your Facebook page?	13	
	A. No.	14	Q. During the two or three times that you had been to
)	Q. Did you record any notes about the incident?	15	Funk Night at the CAID before May 31st of 2008, had you
)	A. No.	16	ever observed any type of unlawful use of narcotics?
	Q. Did you have a cellphone at the time?	17	MS. BRUNER-JAMES: Objection; foundation.
	A. Yes.	18	THE WITNESS: No.
	Q. Who was your cellphone carrier?	19	MR. ASHFORD: Strike that. Well, I will take the
	A. AT & T.	20	answer.
	Q. And what was your cellphone number on May 31st, 2008?	21	BY MR. ASHFORD:
	A. 586-804-8048.	22	Q. Let me ask you again. Prior to May 31st of 2008, had you
	Q. Did you use your private motor vehicle to get to the CAID	23	during the times that you had been at the CAID, had you
	on May 31st of 2008?	24	ever observed any use of unlawful narcotics?
,	A. Yes.	25	MS. BRUNER-JAMES: Objection; foundation.
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
	(313) 962-1176		(313) 962-1176
	•		,
			•
	Page 19	1	Page 2
	Page 19 Q. What kind of car did you own on May 31st, 2008?	1 2	Page 2
)	Page 19 Q. What kind of ear did you own on May 31st, 2008? A. 2006 black Mustang.	2	Page 2 THE WITNESS: No. Like you mean like people using marijuana, drugs?
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1	A. No. I have never been there after two a.m.	1	you come from?
2	Q. Well, you were on May 31st, 2008, correct?	2	A. Cliff Bell's, and I met Cliff Bell's; I met up with Paul
	A. Yeah, because the cops came in and forced us all in the	3	and his brother originally at Detroit Pub, and then from
4	mud.	4	there we went to Cliff Bell's.
5	Q. So your answer is no, you have not seen anyone served or	5	Q. Did you have anything did you go inside?
6	sold intoxicating liquor or alcohol after 2:00 a.m. at the	6	A. At Cliff Bell's?
7	CAID?	7	Q. No, what was the name of bar?
8	A. Correct. Are you referring to that night while we were	8	A. Whiskey Detroit Pub?
9	there? Is that what you are	9	Q. Yeah.
	Q. No, I was referring to the three Funk Nights before	10	A. No.
11	May 31st, 2008.	11	Q. Did you ever go inside Detroit Pub?
	A. No, no.	12	A. No.
	Q. Before you went to the CAID strike that.	13	Q. Okay. You drove your vehicle from Detroit Pub to
14	During the three times that you were at the CAID	14	Cliff Bell's?
15	during Funk Night prior to May 31st, 2008, had you ever	15	A. Yes.
16	observed any type of unlawful conduct?	16	Q. Did you have anything to drink at Cliff Bell's?
17	MS. BRUNER-JAMES: I object as to form and	17	A. No.
18	foundation.	18	Q. Did you have anything to eat at Cliff Bell's?
	THE WITNESS: No, I haven't.	19	A. No.
19 20	BY MR. ASHFORD:	20	Q. Did you have anything to eat at Whiskey in the Jar?
	Q. When you drove your black Mustang to the CAID on May 31st	21	A. No.
		22	Q. Before you arrived at Detroit Pub, where did you come from
22	of 2008, who was in your car?	23	A. My parents.
	A. Paul Kaiser and his brother, Mark Kaiser.	24	Q. When you were driving to the CAID strike that.
	Q. Where were you coming from?	25	After you arrived at the CAID, where did you
25	A. Whiskey in the Jar.	23	LUZOD REPORTING SERVICE
	LUZOD REPORTING SERVICE		(313) 962-1176
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1	Q. And what is Whiskey in the Jar?	1	park?
2	A. It's a bar in Hamtramck.	2	A. Like where did I park at the CAID?
3	Q. How long had you been there?	3	Q, Yeah.
4	A. We were at Whiskey in the Jar I would have to say about	4_	A. In-the-front-on-Rosa-Parks.
5	half hour.	5	Q. Okay. I'm going show you what's been marked as exhibits
6	Q. Did you have anything to drink while you were there?	6	
7	A. I had one drink.	7	MS. BRUNER-JAMES: Before you get into the rhythn
8	Q. What kind of drink did you have?	8	of your questioning, I'm just going to place my objection.
9	A. Three Olives grape vodka with sugar free Red Bull.	9	Just for the record, plaintiffs received these
10	Q. How big is that drink?	10	documents for the first time yesterday. These documents,
11	A. Probably like the size of this glass.	11	as I understand it, were received as the result of a Wayne
1.2	Q. Okay.	12	County Prosecutor's Office subpoena that plaintiffs were
13	MS. BRUNER-JAMES: Let the record reflect that	13	
14	"this glass" refers to maybe an eight ounce tumbler.	14	
15	BY MR. ASHFORD:	15	
16	Q. Prior to entering the CAID, had you had anything else to	16	objection, I'm allowing them to view them and answer
17	drink that evening? And by drink, I mean intoxicating	17	questions about them.
18	liquor, besides the drink that you had at Whiskey in the	18	BY MR. ASHFORD:
19	Jar.	19	Q. Ms. Wong, do either of these exhibits, Defendant's Exhibits
2 Q	A. No, that was the only one I had that night.	20	No. 3 or Exhibit No. 4 depict the front of the CAID?
21	Q. Had you used any unlawful narcotics before entering the	21	A. I would say this is the front.
22	CAID that night?	22	Q. And you are pointing to Defendant's Exhibit No. 4?
		23	A, Yeah.
		24	Q. Thank you. For Defendant's Exhibit No. 3, is that the door
	Before you were at Whiskey in the Jar, where had	25	that you entered through to attend the event on May 31st,
25	before you were at withskey in the Jar, where had	23	that you cheeke through to attord the event on may 5 mg
25	LUZOD REPORTING SERVICE	23	LUZOD REPORTING SERVICE
13 14 15 16 17 18 19 20 21	MS. BRUNER-JAMES: Let the record reflect that "this glass" refers to maybe an eight ounce tumbler.  BY MR. ASHFORD:  Q. Prior to entering the CAID, had you had anything else to drink that evening? And by drink, I mean intoxicating liquor, besides the drink that you had at Whiskey in the Jar.  A. No, that was the only one I had that night.  Q. Had you used any unlawful narcotics before entering the CAID that night?  A. No.  Q. Where were you — strike that.	14 15 16 17 18 19 20 21 22 23 24	not provided with a copy of. And for the violation of Rule 45, we object to the exhibits. However, in order to avoid re-deposing the witnesses and without waiving the objection, I'm allowing them to view them and answer questions about them.  BY MR. ASHFORD:  Q. Ms. Wong, do either of these exhibits, Defendant's Exhino. 3 or Exhibit No. 4 depict the front of the CAID?  A. I would say this is the front.  Q. And you are pointing to Defendant's Exhibit No. 4?  A. Yeah.  Q. Thank you. For Defendant's Exhibit No. 3, is that the defendant of the CAID?

	Page 26		Page 28
1	2008?	1	and just leave.
2	A. Yes.	2	Q. Why did you go in the back yard?
. 3	Q. So what happened after you parked your car?	3	A. Because we looked in the front and then in the room with
: 1 4	A. We walked in. I paid we showed our ID's, got in the	4	the DJ; he wasn't there. And there was a back yard area,
5	door. I paid for all three of us; he gave us wrist bands.	5	so we went out there to see who was out there, and he
6	And then Mark went and got us three beers. We were walking	6	wasn't there. So that's how we ended up in the back yard.
7	around trying to find my friend that needed a ride.	7	Q. So you guys didn't dance while you were there?
8	Q. What time did you arrive at the CAID?	8	A. No.
9	A. About ten to two, approximately. It was around that time,	9	Q. So while you were there strike that.
1.0	len to two.	10	How long were you there before the Detroit police
11	Q. So after he gave you strike that.	11	officers came into the location?
12	Mark gave you three beers?	12	A. Probably like about ten minutes.
13	A. He bought three beers: One for myself, one for him and one	13	Q. While you were there, did you see any attendees without
l	*	14	
14	for Paul.		wrist bands being served intoxicating liquor?
15	Q. And at the time, how old were you?	15	A. No.
16	A. Twenty-two.	16	Q. Did you see anyone using narcotics?
17	Q. And then what happened after you received the beer?	17	A, No.
18	A. Well, we were walking like, our original purpose of	18	MS. BRUNER-JAMES: Objection. Objection as to
19	going to CAID is because I had I received a phone call	19	foundation.
20	from one of my friends that needed a ride home, and he was	20	BY MR. ASHFORD:
21	there. But when we got there, we looked around for him and	21	Q. Did you see anyone purchasing alcohol or intoxicating
22	he wasn't there. So I just feel like we went there we	22	liquor after 2:00 a.m.?
23	were at the wrong place at the wrong time. I felt that	23	A. No. Because the cops came in, and they were beating
24	place was being staked out before we even walked in. And	24	everyone down.
25	we were probably only in there for about like I would have	25	Q. They were what?
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`	Page 27		Page 29
1	to say like ten, 12 minutes. And then the cops came in.	1	A. Beating everyone down in the back yard.
2	Q. Who were you there to pick up?	2	Q. Okay. So, tell me, what happened when the police officers
3	A. My friend Jerry.	3	came in?
	-Q. What's-Jerry's-full-name?	4	A. Well, at first, I-don't know, it was justI-was in
5	A. Jerry Craig.	5	shock. Like, I just thought it was a joke at first. And
6	Q. What city does Jerry Craig live in?	6	then, I mean, they kind of rushed in, and it happened real
7	A. He lives in used to live in St. Clair Shores, but he	7	fast. And they came in; I couldn't see any badges on them.
8	lives in Roseville now.	8	They came in with like all black, ski masks, with like guns
9	Q. How do you know him?	9	pointing at us.
10		10	
10	A. Through high school. South Lake.		Q. What do you mean?
11	Q. Do you know his address?	11	<ul><li>Q. What do you mean?</li><li>A. At first I thought for a split second like we were</li></ul>
l			
11	Q. Do you know his address?	11	A. At first I thought for a split second like we were
11 12	<ul><li>Q. Do you know his address?</li><li>A. No, 1 don't.</li></ul>	11 12	<ul><li>A. At first I thought for a split second like we were people were robbing the place.</li><li>Q. What do you mean ski masks, Angie?</li></ul>
11 12 13	<ul><li>Q. Do you know his address?</li><li>A. No, 1 don't.</li><li>Q. Do you know his telephone number?</li></ul>	11 12 13	A. At first I thought for a split second like we were people were robbing the place.
11 12 13 14	<ul> <li>Q. Do you know his address?</li> <li>A. No, I don't.</li> <li>Q. Do you know his telephone number?</li> <li>A. I have his cellphone number, but I don't think it's in service right now.</li> </ul>	11 12 13	<ul> <li>A. At first I thought for a split second like we were people were robbing the place.</li> <li>Q. What do you mean ski masks, Angie?</li> <li>A. They had like black masks on to the point you couldn't see their face.</li> </ul>
11 12 13 14 15	<ul> <li>Q. Do you know his address?</li> <li>A. No, I don't.</li> <li>Q. Do you know his telephone number?</li> <li>A. I have his cellphone number, but I don't think it's in service right now.</li> <li>Q. What made you think he would be there?</li> </ul>	11 12 13 14 15	<ul> <li>A. At first I thought for a split second like we were people were robbing the place.</li> <li>Q. What do you mean ski masks, Angie?</li> <li>A. They had like black masks on to the point you couldn't see their face.</li> <li>Q. You couldn't see any portion of their face?</li> </ul>
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	Page 30		Page 32
1	A. It was dark.	1	scared to look at his face. And all I heard was an officer
2	Q. Was there any lights at all?	2	come by and yelled, "Bitch, you think you are too pretty to
. – . 3	A. There was lights in the front. I mean, in the dance floor	3	get in the mud? Get in the mud." And I was starting to
. 4	I think there was like some kind of like light, but I	4	get in the mud. I was already on my knees, and somebody
5	wasn't not like bright lights or anything.	5	forced me and stomped on me while I was getting in the mud.
ΰ	Q. Okay. And is the dance area like in the back room of the	6	I'm not sure who did it, if it was the officer that was
7	building?	7	doing it to Paul or if it was the woman.
8	A. Yeah,	8	Q. Do you know the names or badge numbers?
9	Q. So you had to go through a doorway from the front part of	9	A. They didn't have any badge number or names or anything out.
10	the building to get into the dance area where the DJ is,	10	Q. So you can't identify the officer that actually kicked you,
11	correct?	11	correct?
12	A. Correct.	12	A. No, I can't.
13	Q. So there is more light you are saying in the front of the	13	Q. And you cannot
14	building?	14	A. Because they kicked me from behind.
1	A. Yeah.	15	Q. You can't identify the officer that kicked Paul?
15		16	A. No.
16	Q. What was the lighting condition like outside in the terrace	17	Q. Did you see those officers later on that morning?
17	area?	18	A. Well, even if they were there, how would I know it was
18	A. Terrace, it was dark.	19	them?
19	Q. There were no lights at all, outside lighting?		
20	A. I don't know. I don't remember at this point at the	20 21	<ul><li>Q. Okay.</li><li>A. They were like wearing all black, all covered up. They</li></ul>
21	moment.		didn't have any type of identification on them at all.
22	Q. So what happened when they came into the terrace area?	22	
23	That's where you were, right?	23	Q. Let me show you what's been marked as Defendant's Exhibits
24	A. Yeah.	24	7 well, 5 through 7. And what I'm interested in is this
25	Q. What happened when they came into that area?	25	picture is the Detroit police officers. Is this how they
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
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	Page 31		Page 33
1	A. They were just screaming, "Get the fuck down. Get the fuck	1	were dressed on May 31st of 2008?
2	down." And, I don't know, I was scared, so I just dropped	2	A. Well, all I know, they were wearing all black and ski
3	my cup of beer and just I was wearing like I was	3	masks. They had assault rifles with lights on them. I
<u> </u>	wearing all white, protty-much, light-jeans and like	4	mean, I can't describe them to a T, while I'm getting like
5	six-inch pumps. And the part where we were standing was	5	a rifle like pointed at my face telling me to get the fuck
6	really muddy. It was really dirty, and I didn't want to	6	down and getting kicked.
7	lay on the ground, so I just crouched down in a squatting	7	Q. Eventually you were brought into the front room, right?
8	position and put my hands up behind my head.	8	A. Yeah.
9	And Paul was sitting there asking well, he	9	Q. And there was some lighting in the front room?
10	knelt down. I think he knelt down. He was asking	10	A. Yeah.
11	trying to ask the cops trying to find out what was going	11	Q. The officers were walking around, right?
12	on. And all I can remember is just seeing him like get	12	A. Uh-huh.
13	kicked, repetitively, getting forced in the mud.	13	Q. And you could see their uniforms, right?
14	Q. How many times did you see him get kicked?	14	A. Yeah,
	O. How Hally times the you see thin get kicked:		
T .		15	Q. Some of them were dressed and in a patrol uniform?
1.5	A. I can't I would have to say like three to five times	15 16	<ul><li>Q. Some of them were dressed and in a patrol uniform?</li><li>A. Yeah.</li></ul>
15 16	A. I can't I would have to say like three to five times altogether.		A. Yeah.
15 16 17	<ul><li>A. I can't I would have to say like three to five times altogether.</li><li>Q. What happened to Paul after they kicked him?</li></ul>	16	
15 16 17 18	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say,</li> </ul>	16 17	<ul><li>A. Yeah.</li><li>Q. With a badge on?</li><li>A. Yeah.</li></ul>
15 16 17 18 19	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say, like three times while he was on his knees. They were</li> </ul>	16 17 18	<ul><li>A. Yeah.</li><li>Q. With a badge on?</li><li>A. Yeah.</li><li>Q. And some were in</li></ul>
15 16 17 18 19 20	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say, like three times while he was on his knees. They were trying to force him in the mud. And then I remember</li> </ul>	16 17 18 19 20	<ul><li>A. Yeah.</li><li>Q. With a badge on?</li><li>A. Yeah.</li><li>Q. And some were in</li><li>A. Are you talking about in this?</li></ul>
15 16 17 18 19 20 21	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say, like three times while he was on his knees. They were trying to force him in the mud. And then I remember looking over, and he was like started to fall in the</li> </ul>	16 17 18 19 20 21	<ul> <li>A. Yeah.</li> <li>Q. With a badge on?</li> <li>A. Yeah.</li> <li>Q. And some were in</li> <li>A. Are you talking about in this?</li> <li>Q. Yeah. Some were dressed in this entire black entire</li> </ul>
15 16 17 18 19 20 21 22	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say, like three times while he was on his knees. They were trying to force him in the mud. And then I remember looking over, and he was like started to fall in the mud. And then he had a gun a rifle pointed to the back</li> </ul>	16 17 18 19 20 21 22	<ul> <li>A. Yeah.</li> <li>Q. With a badge on?</li> <li>A. Yeah.</li> <li>Q. And some were in</li> <li>A. Are you talking about in this?</li> <li>Q. Yeah. Some were dressed in this entire black entire black outfit that you are talking about, correct?</li> </ul>
15 16 17 18 19 20 21 22 23	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say, like three times while he was on his knees. They were trying to force him in the mud. And then I remember looking over, and he was like started to fall in the mud. And then he had a gun a rifle pointed to the back of his head. And then the guy like stomped him in the mud.</li> </ul>	16 17 18 19 20 21 22 23	<ul> <li>A. Yeah.</li> <li>Q. With a badge on?</li> <li>A. Yeah.</li> <li>Q. And some were in</li> <li>A. Are you talking about in this?</li> <li>Q. Yeah. Some were dressed in this entire black entire black outfit that you are talking about, correct?</li> <li>A. Yeah, correct.</li> </ul>
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15 16 17 18 19 20 21 22 23	<ul> <li>A. I can't I would have to say like three to five times altogether.</li> <li>Q. What happened to Paul after they kicked him?</li> <li>A. He was on his knees he got kicked like, I would say, like three times while he was on his knees. They were trying to force him in the mud. And then I remember looking over, and he was like started to fall in the mud. And then he had a gun a rifle pointed to the back of his head. And then the guy like stomped him in the mud.</li> </ul>	16 17 18 19 20 21 22 23	<ul> <li>A. Yeah.</li> <li>Q. With a badge on?</li> <li>A. Yeah.</li> <li>Q. And some were in</li> <li>A. Are you talking about in this?</li> <li>Q. Yeah. Some were dressed in this entire black entire black outfit that you are talking about, correct?</li> <li>A. Yeah, correct.</li> </ul>

	Page 34		Page 36
1	A. Yeah.	1	of those persons before?
2	Q. In Exhibits 5 through 7?	2	A. No.
i 3	A. Yeah.	3	Q. Okay. At some point you were brought inside the building,
4	Q. Did they have this reflective white lettering "Police" on	4	correct?
5	their backs?	5	A. Correct.
6	A. When I was in the patio?	6	Q. While you were inside the CAID or outside in the terrace
7	Q. No, did you ever see them with that on while you were	7	area, did you ever hear any verbal abuse directed towards
9,3	inside the CAID?	8	any of the attendees by Detroit police officers besides
9	A. Yes, I did see them with that on inside the CAID.	9	yourself and Paul?
10	Q. What happened after the officer strike that.	10	A. You know, I was just in shock, and I was scared. I'm
11	What were you wearing that night?	11	pretty sure there was; I couldn't tell you specifically
12	A. I was wearing a pair of white six-inch heels, light jeans,	12	what they were saying to everyone.
13	a white shirt,	13	Q. Okay. So at some point you were brought inside the
	Q. Okay. What happened after the officer kicked you into the	14	building?
14		15	A, Yeah,
15	mud?	16	Q. And then what happened?
16	A. I just laid in the mud and didn't say a word. Because I		A. They separated the women from the men. All the girls were
17	was afraid that they were going to start hitting me if I	17	in the front part. They made us kneel down with our hands
18	opened my mouth.	18	•
19	Q. Were you looking around?	19	behind our heads. We couldn't like talk; we had to sit
20	A. I was trying to.	20	there until they called our names.
21	Q. Did you see any other physical abuse of attendees by	21	Q. And then what happened?
22	Detroit police officers besides what happened to you and	2:2	A. When they called your names, they returned your stuff. If
23	Paul?	23	you had a purse, they would check everything in your purse,
24	A. I mean, before I got before I was like face down in the	24	or whatever, and return your purse, write you your ticket.
25	mud, I was kind of looking around while Paul was being LUZOD REPORTING SERVICE (313) 962-1176	25	And if you had a car, they they gave me the paper, the LUZOD REPORTING SERVICE (313) 962-1176
	Page 35		Page 37
-1	-	1	nuisance abatement paper, too.
1	kneed down. And there was a kid like in the far corner of	1	Q. I'm going to show you what's been marked Defendant's
2	where where we were at, and he was refusing to get down,	2 3	Exhibit No. 1. Did they give you this document right here?
3	because all he wanted he wanted to know what was going		A. Yes.
-4	on. And I swear I just thought I seen him get hit with	5	Q. Although this information is not all yours, you filled out
5	like a rifle.	6	one of these documents?
6	Q. Do you know the name of that person?	7	
7	A. No, I don't. I didn't know anyone there. I was just there		A. Yes, sir. Q. And they took your keys?
8	to pick up my friend, and he wasn't there. I didn't know	8	A. I'm pretty sure I gave my keys.
9	anyone at that place.	9	Q. Actually, did they only take a car key?
10	Q. You didn't know any of the employees of the CAID?	10	· · · · · · · · · · · · · · · · · · ·
11	A. No.	11	A. Yeah, the car key.
12	Q. Or anyone who ran the place?	12	Q. And they gave you your other keys back?
13	A. No.	13	A. Yeah.
1.4	Q. You didn't know the people who were taking money?	14	Q. And then what happened?
15	A. No.	15	A. They impounded my car.
16	Q. The people that were selling drinks?	16	Q. Well, so they return your possessions except for your car
17	A. No.	17	key, right?
18	Q. Have you met any of your fellow plaintiffs in this lawsuit	18	A. Uh-huh.
19	besides Paul?	19	Q. And then what did you do after that?
20	A. I met them when we were here at a meeting talking.	20	A. Well, after they released me, I waited outside for Paul and
z 1	Q. Don't tell me anything about what was said.	21	his brother for probably about an hour.
22	MS. BRUNER-JAMES: Yeah, please don't.	22	Q. So you were released an hour before they were?
23	THE WITNESS: All right.	23	A. Yeah.
24	BY MR. ASHFORD:	24	Q. And did you see what happened to your car?
25	Q. Prior to the filing of this lawsuit, had you ever met any	25	A. Yeah, they took it away.
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1			
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1	Q. Who took it away?	1	because my phone was lost.
2	A. The towing company.	2	Q. Did Mark have footprints on him, too?
3	Q. What towing company?	3	A, Yeah,
4	A. I don't I can't remember.	4	Q. Was Mark handcuffed in the CAID?
5	Q. Did you actually see them hook it up and actually haul it	5	A. Like in the inside or outside?
6	away?	6	Q. Anywhere on the property of the CAID, was he ever
7	A. Yeah. Like, when I got out, they were hooking it up and	7	handcuffed?
8	hauling it away.	8	A. I don't know. I couldn't tell you.
9	Q. So, eventually, Mark and Paul came out of the CAID?	9	Q. Did he ever tell you, "I was handcuffed"?
10	A. Uh-huh.	10	A. I don't think so.
11	Q. Yes?	11	Q. Or did you ever hear him say "I was handcuffed"?
12	A. Yes.	12	A. I don't think so. He was just complaining he was getting
13	Q. And you went up to them?	13	kicked.
14	A. Yeah.	14	Q. Before you left the property of the CAID, you were also
15	Q. And what did you say?	15	given a ticket, also, correct?
16	A. "How are we going to get home?"	16	A, Correct,
17	Q. So then how did you get home?	17	Q. Similar to the one in Defendant's Exhibit No. 2?
18	A. My plan was when they got out, I was thinking in my head we	18	A. Yep.
	* *	19	<ul><li>A. 1 ep.</li><li>Q. And it was also for the same charge of loitering in a place</li></ul>
19 20	can call a cab or whatever. When we got out, we found a cab. So we ended up flagging a cab down and took a cab to	20	of illegal occupation, right?
	· • · · · · · · · · · · · · · · · · · ·	21	A. Right.
21	Mark's car, which was at Whiskey in the Jar.		•
22	Q. How far was that from the CAID?	22	Q. Did you have an attorney for that criminal charge?
23	A. It's in Hamtramck, so it's not that far.	23	A. Gary Janadia was my attorney for this, but somehow I go
24	Q. What happened after you got to Mark's car?	24	hooked up with the ACLU.
25	A. Mark, we went to Brey's, and then we ate something, and	25	Q. What happened with the charge?
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
	(313) 962-1176		(313) 962-1176
	Page 39		Page 4
1	Page 39 then we went to where Paul was staying at his parents. And	1	Page 4  A. It got dismissed.
1 2			
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	Page 42		Page 44
1	A. No.	1	EXAMINATION
2	Q. You just talked to the person that was in the front, the	2	BY MS. BRUNER-JAMES:
3	administrative person who handled the fee processing?	3	Q. In front of you we have Exhibits No. 5, No. 6 and No. 7,
4	A. Uh-huh.	4	which you viewed earlier.
5	O. Yes?	5	MR, ASHFORD: No, for the record those are
6	A. Yes.	6	Defendant's Exhibits 5 through 7.
7	Q. Did you ever make a complaint with the Detroit Police	7	MS. BRUNER-JAMES: Yes.
8	Department about the police action that was taken on	8	BY MS. BRUNER-JAMES:
9	May 31st, 2008, at the CAID?	9	Q. Now, the police officers that you can see in these
10	A. Not that I can remember, because I thought like because	10	pictures, can you tell me compared to assuming that
11	Paul was doing all this for us, for what happened. And I	11	these are the same police officers who conducted the
12	think I mean, I'm pretty sure he did something for us.	12	initial part of the raid when you first saw officers enter
13	Q. So what happened after you go to the Wayne County	13	the CAID, was there anything different or additional that
		14	you saw on the officers at that time when they first
14	Prosecutor's Office and paid the fee? How much was the fee?	15	entered?
15		16	A. When they first entered, like I said, they were wearing
16	A. Nine hundred.	17	like a black ski mask. All you could see was the top
17	Q. And then what happened?		portion of the face of their eyes with the top of their
18	A. And then they gave us directions to the impound where my	18	
19	car was at, so I had to pay another fee for my car.	19	nose or right here (indicating). They when I was
20	Q. How much did you pay there?	20	looking at them, you couldn't see any like markings to tell
21	A. I don't remember; a hundred and something.	21	like they were actual police officers.
2.2	Q. I'm sorry, I may have already asked this question. What	22	Q. So in these pictures, we can see the word "police," and as
23	was the fee you paid to Wayne County Prosecutor's Office?	23	bad as these pictures are, that's fairly visible?
2.4	A. Nine hundred.	24	A. Yeah.
25	Q. What tow yard did you go to?	25	MR. ASHFORD: I'm going to object to that. I
	LUZOD REPORTING SERVICE		LUZOD REPORTING SERVICE
	(313) 962-1176		(313) 962-1176
1			
!	Page 43		Page 45
;   1	Page 43  A. I don't remember.	1	Page 45 object to foundation, but go ahead. And form.
1 2		1 2	-
	A. I don't remember.		object to foundation, but go ahead. And form.
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2 3 =4	A. I don't remember. Q. Do you have any documents with that information on it? A. No. Q. Do you have any documents regarding the towing of your process.	2 3 4	object to foundation, but go ahead. And form.  MS. BRUNER-JAMES: I will rephrase.  BY MS. BRUNER-JAMES:  Q. The word "police" in these photographs, would you agree
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2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>A. I don't remember.</li> <li>Q. Do you have any documents with that information on it?</li> <li>A. No.</li> <li>Q. Do-you have any documents regarding the towing of your vehicle or the incident at the CAID</li> <li>A. No.</li> <li>Q in your possession today?</li> <li>A. No, I don't.  MR. ASHFORD: Off the record for a moment.  (Discussion off the record.)  MR. ASHFORD: Back on record.</li> <li>BY MR. ASHFORD:</li> <li>Q. Ma'am, when you recovered your vehicle, was there any damages to it?</li> <li>A. No, there wasn't.</li> <li>Q. Did you suffer any damages from the incident at the CAID that we have not discussed here today?</li> <li>A. No.</li> <li>Q. Did you ever do any community service to get your car back?</li> <li>A. No.  MR. ASHFORD: Okay. I have nothing further.  MS. BRUNER-JAMES: Can we take a two-minute break and then wrap up?  MR. ASHFORD: Okay.</li> </ul>	2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	object to foundation, but go ahead. And form.  MS. BRUNER-JAMES: I will rephrase.  BY MS. BRUNER-JAMES:  The word police in these photographs, would you agree that's fairly prominent?  A. Yes.  MR. ASHFORD: I'm going to object to the form.  BY MS. BRUNER-JAMES:  Q. When the police officers first entered the CAID, could you see any words or insignias that were similar to the ones that you can see in these pictures?  A. I couldn't see any markings on them when we were in the patio when we first originally came in.  Q. Okay. And then, finally, can you tell me why are you participating in this lawsuit?  A. Well, I basically have been stripped of my rights and been humiliated from that night, considering Paul and I just started dating. And that was the first time I have ever met his brother, and I still apologize to him to this day for having him go through all that.  I mean, now, even though I work downtown, I used to hang out downtown a lot. But like ever since that night, like now I just I would rather go somewhere else, just because that's just wrong with what the cops did;

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Page 46
             place like that, that I don't know that -- I guess you can
 1
 2
             call -- I don't know, like Funk Night, or whatever, I'm
 3
            just afraid that would happen to me again. And I
 4
             wouldn't -- I don't know. I mean, I just don't want to get
 5
             beat down.
  6
                   MS, BRUNER-JAMES: No further questions.
 7
                   MR. ASHFORD: I have nothing further.
 8
                   (The deposition was concluded
 9
                   at 5:30 p.m.)
10
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25
                    LUZOD REPORTING SERVICE
                       (313) 962-1176
                                                            Page 47
            STATE OF MICHIGAN )
 1
 2
                        ) ss.
 3
            COUNTY OF WAYNE
                  I, Sherri-L. Ruff, Notary Public within and for-
 5
            the County of Wayne, State of Michigan, do hereby certify
 6
            that the witness whose attached deposition was taken before
 7
            me in the above entitled matter was by me duly sworn at the
 8
            aforementioned time and place; that the testimony given by
 9
            said witness was stenographically recorded in the presence
10
            of said witness and afterwards transcribed by computer
11
            under my personal supervision, and that the said deposition
12
            is a full, true and correct transcript of the testimony
13
            given by the witness.
14
               I further certify that I am not connected by blood or
15
            marriage with any of the parties or their attorneys, and
16
            that I am not an employee of either of them, nor
17
            financially interested in the action.
18
               IN WITNESS THEREOF, I have hereunto set my hand at the
19
            City of Detroit, County of Wayne, State of Michigan.
20
21
               Date
                          Sherri L. Ruff, CSR-3568
                       Wayne County, Michigan
22
                        My Commission Expires: 9/25/15
23
24
125
                   LUZOD REPORTING SERVICE
                     (313) 962-1176
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# EXHIBIT 19

2:10-cv-10675-VAR-MKM Down #48年中国 File 104/17/12 Pg 2 of 9 Pg ID 2061 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION APPEARANCES: (Continued) 1 2 DANTEL S. KOROBKIN (P72842) 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 IAN MOBLEY, KIMBERLY MOBLEY, IAN MOBLEY, KIMBERLY MODLEY, PAUL KAISER, ANDIE WONG, JAMES WASHINGTON, NATHANIEL PRICE, JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERSTE-SAUNDERS, WANDA LEVERSTE, DARLENE HELLENBERG, THOMAS MAHLER, and LAURA MAHLER, Appearing on behalf of Plaintiffs JERRY L. ASHFORD (P47402) City of Detroit Law Department 660 Woodward Avenue Suite 1650 Detroit, Michigan 48226 (313) 237-3089 Plaintiffs. 8 No. 10-10675 Appearing on behalf of Defendants CITY OF DETROIT, VICKI YOST, and DANIEL BUGLO, 1.0 10 11 Defendants. 11 12 13 The deposition of WANDA LEVERETTE, taken before Reporter LaVerne M. Reinhardt, CSR-2305, Notary 14 14 15 Public in and for the County of Wayne, State of 15 Michigan, at 1394 E. Jefferson Avenue, Detroit. 16 Michigan, on Wednesday, October 20, 2010, commencing at 17 or about the hour of 2:30 p.m. 18 APPEARANCES: 19 KATHRYN BRUNER JAMES (P71374) Goodman & Hurwitz, P.C. 1394 E. Jefferson Avenue Detroit, Michigan 48207 (313) 567-6170 20 20 21 22 23 Appearing on behalf of Plaintiffs 23 24 24 25 25 RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING (313) 964-3611 4 Detroit, Michigan 1 Wednesday, October 20, 2010 2 3 2:30 p.m. INDEX 4 PAGE: 5 MR. ASHFORD: Let the record reflect that this is the deposition of Wanda Leverette... 6 5 Cross Examination by Mr. Ashford 7 taken pursuant to Federal Rules of Civil Procedure, 29 Cross Examination by Ms. James for all purposes allowed under the rules and with 8 30 Recross Examination by Mr. Ashford Notice to all parties, 9 Good afternoon, Ms. Leverette, 10 10 THE WITNESS: Hi. 11 11 MR, ASHFORD: My name is Jerry 12 12 13 Ashford and I represent the City of Detroit and the 13 police officers in this law suit that you filed. EXHIBITS 14 15 Have you ever given any type of 15 16 None. 16 testimony in a court proceeding? 17 THE WITNESS: Yeah, about a month 17 18 18 ago. 19 MR. ASHFORD: OKAY, what kind of 19 20 20 court proceeding was that? 21 THE WITNESS: It was a deposition. 21 22 MR, ASHFORD: Okay, Concerning what 22 2.3 23 type of case? THE WITNESS: A car that I rented 24 had been in an accident and they were asking me 25 RELIANCE COURT REPORTING (313) 964-3611 RELIANCE COURT REPORTING (313) 964-3611

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	29			30
1	up in the city. I work in the city. And I don't	1		was not available to you did you claim all of those
2	want my son partying in the city of Detroit.	2		days as vacation days or some kind of comp days?
3	Q. So what's your alternative?	3		No, three of those days I took without pay, because
	A. He's found other places to go.	4		I wanted to hold on to some of my sick days and I
· \	Q. Outside the city?			• • •
	•	5		wasn't going to use them all so I took three days
6	A. Some of them are. Some of them are still in the	6		without pay.
7	city but, you know, he has to tell me where it is.	7		MS. JAMES: That's all.
8	You know, yeah, you can go to Corktown, you can	8		MR. ASHFORD: I have nothing
9	take my car to Corktown because I'm sharing my	9		further. Strike that, actually I do have something
10	vehicle, but no, I'm not that crazy about that	10		else.
11	garage that y'all hang out at over there on Forest,	11		RECROSS EXAMINATION
12	over near Wayne State and even though it's probably	12	BY N	1R. ASHFORD:
13	a lot of nice people it's a neighborhood that I'm	13	Q.	Ma'am, how much were you paid a day?
14	not sure whether or not my car will still be there	14	A.	Something like, it was \$20 an hour and eight hours
15	when you come out so with that type of	15		a day, what's that, \$160 a day so three days times
16	apprehension, you know, we always have to negotiate	16		160.
17	when it's time to go out and use my car.	17	Q.	Okay. So you lost approximately \$480 after tax or
18	Q. Anything else?	18		before?
19	A. No.	19		Before,
20	Q. Thank you very much.	20		MR. ASHFORD: I have nothing
21	A. Thank you.	21		further. Thank you, ma'am.
22	MR. ASHFORD: No further questions.	22		THE WITNESS: Okay.
23	CROSS-EXAMINATION	23		(Deposition concluded at
23 24	BY MS. JAMES:	24		
				3:08 p.m.)
25	Q. Just quickly, when you missed work while your car	25		DELIANOE COURT REPORTING
	RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
	(313) 964-3611			(313) 964-3611
	31	1		CERTIFICATE OF NOTARY
i		'	STA	TE OF MICHIGAN)
٠	•	2		) SS
3			COU	NTY OF WAYNE )
4		3		
5		4		I, La Verne M. Reinhardt, CSR, Notary Public
6-				nd for the above county and state, do hereby certify
7		6 7		the deposition of WANDA LEVERETTE, was taken before at the time and place hereinbefore set forth, that
8		8		witness was duly sworn to testify to the truth, the
9		9		le truth and nothing but the truth, that thereupon
10		10	the f	oregoing questions were asked and foregoing answers
11		11		e made by the witness which were duly recorded by me
12		12		ographically and later reduced to computer
13		13		scription; and I certify that this is a true and
14		14 15	COLL	ect transcript of my stenographic notes so taken. I further certify that the signature was
15		16	walv	red by counsel for the respective parties hereto;
16		17		that i am not of counsel to either party nor
17		18		rested in the event of this cause.
18		19		
19		20		alle better the
20				July hayr
21		21		La Verne M. Reinhardt, (CSR-2305)
22		22		Notary Public, Wayne County, Michigan My Commission Expires: 01-02-15
23				Try Commission Expires, Of O2 15
		23		
24		24		
25	DELIANOE COURT REPORTING	25		
i	RELIANCE COURT REPORTING	-		RELIANCE COURT REPORTING
· •	(313) 964-3611			(313) 964-3611

# EXHIBIT 20

### Brandon Cole 10/18/2011

1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE EASTERN DISTRICT OF MICHIGAN
2	SOUTHERN DIVISION
3	IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER, ANGIE WONG, JAMES WASHINGTON, NATHANIEL
4	PRICE, JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE,
5	DARLENE HELLENBERG, THOMAS MAHLER, and LAURA MAHLER,
6	Plaintiffs,
7	Hon. Victoria & Roberts Magistrate Judge Mone K. Mazoub
8	-vs- No. 10-cv-10675
9	CITY OF DETROIT, a municipal corporation, Lieutenant VICKI YOST,
10	a Detroit police officer, in her individual capacity, Sergeant DANIEL.
11	BUGLO, a Detroit police officer, in his individual capacity, Sergeant G. MCWHORTER,
12	a Detroit police officer, in his/her individual capacity, Sergeant A. POTTS,
13	a Detroit police officer in his/her individual capacity, Sergean CHARLES TURNER,
14	a Detroit police officer, in his individual capacity, Officer M. BROWN, a Detroit police
_1-5	,
16	B. COLE, a Detroit porice officer, in his/her individual capacity, Officer TYRONE GRAY, a
17	Detroit police officer, in his individual capacity, Officer SHERON JOHNSON, a Detroit
18	police officer, in her individual capacity,  Price K. INGLETON, a Detroit police officer,  in his baring and in the condition and in th
19	in his/her individual capacity, and UNNAMED  DETROIT POLICE OFFICERS, in their individual  apacties,
2:0	Defendants.
21	/
22	DEPOSITION OF SERGEANT BRANDON COLE
23	TUESDAY, OCTOBER 18, 2011
24	· · · · · · · · · · · · · · · · · · ·
25	



### 2:10-cv-10675-VAR-MKM Doc # 84-21 Filed 04/17/12 Pg 3 of 26 Pg ID 2071

### Brandon Cole 10/18/2011

2 (Pages 2 to 5)

	2 (rayer	. 4	to 5)
	Page 2		Page 4
1			•
1 2	Deposition of SERGEANT BRANDON COLE,	1	Detroit, Michigan
3	taken in the above-entitled cause before Denise Moorfoot,	2	Tuesday, October 18, 2011
4	(CSR-2275), Court Reporter and Notary Public for the County	3	12:15 p.m.
5	of Oakland, State of Michigan, at 660 Woodward, Suite 1650,	4	
6 7	Detroit, Michigan, on Tuesday, October 18, 2011, commencing at or about the hour of 12:15 p.m.	5	BRANDON COLE
8	APPEARANCES;	6	was thereupon called as a witness herein and, after
9	THE DEACH TOLD,	7	having been first duly sworn to tell the truth, was
	MR, DANIEL S. KOROBKIN	8	examined and testified as follows:
10	American Civil Liberties Union Fund of Michigan	9	examined and testified as follows.
11	2966 Woodward Avenue		EN LA CALLETTON
بار باد	Detroit, Michigan 48201 -and-	10	EXAMINATION
12	MS. KATHRYN BRUNER JAMES	11	BY MR. KOROBKIN:
	Goodman & Hurwitz, P.C.	12	Q Good afternoon, Mr. Cole.
13	1394 E. Jefferson Avenue	13	A Yes.
14	Detroit, Michigan 48207 Appearing on behalf of the Plaintiffs.	14	Q Brandon Cole?
15	MR, JERRY ASHFORD	15	A Yes.
	City of Detroit Law Department	16	Q My name is Daniel Korobkin. I'm one of the attorneys for
16	660 Woodward Avenue	17	the plaintiffs in this case. This is a deposition for all
15	1650 First National Building	18	purposes under the Federal Rules of Civil Procedure in the
17	Detroit, Michigan 48226 Appearing on behalf of the Defendants,	19	
18	Appearing on benan of the Detendants,	ŀ	case known as Mobley versus City of Detroit, and it arises
19		20	out of a police raid at the Contemporary Art Institute of
20		21	Detroit on May 31st, 2008.
21		22	I represent nine people who were charged with
22 23		23	criminal misdemeanor offenses in that case and four people
24		24	who were not present but who are the owners of vehicles
		25	
2.5		2.5	that were taken from the Contemporary Art Institute of
4.5			der som
4.5	Page 3		that were taken from the Contemporary Art Institute of Page 5
1	Page 3	1	der som
1 2			Page 5
1	TABLE OF CONTENTS	1	Page 5 Detroit. A Mm-hmm.
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3 (Pages 6 to 9)

	( - 2		CO 9)
	Page 6		Page 8
1	MR. KOROBKIN: I'm going to ask the court	1	officers that were involved in it. This has been going on
2	reporter to mark Exhibit 1.	2	for a few years now, so, yeah, we've talked about it.
3	(WHEREUPON, Deposition Exhibit 1	3	Q Can you tell me who those officers are?
4	was marked for identification.)	4	A Well, I remember directly having a conversation with Mike
5	BY MR. KOROBKIN;	5	Brown.
6	Q I'm handing you a document entitled Notice of Taking	6	Q Michael Brown?
7	Deposition Duces Tecum of Officer B. Cole. Officer, have	7	A Yeah.
8	you ever seen this before?	8	Q Okay.
9	A Previously, yes.	9	A And Lieutenant Yost, And probably other people, but I
10	Q You have?	10	can't remember their names offhand.
11	A No. I'm sorry. I have seen the case file. This	11	Q Michael Brown, Lieutenant Yost. What is Michael Brown's
12	particular form, no. I was actually never even given	12	rank?
13	notice to be here today until I was called about an hour	13	A He's an officer.
14	ago.	14	Q What was the substance of your conversation with
15	Q You'll see that there's a list of items that this form	15	Lieutenant Yost?
16	asked you to bring on pages 2 and 3. Did you bring	16	A Just basically, when it hit the paper, we were talking
17	anything with you today?	17	about it, basically what happened and the fact that it was
18	A No. I didn't even know why I was coming down here today.	18	in the paper.
19	MR. KOROBKIN: I'll just note for the record	19	Q Do you remember what she said to you about it?
20	that we reserve the right to continue the deposition or	20	A Nothing of importance, I can't even nothing that I
21	recall Mr. Cole, Officer Cole, if the items or requests in	21	stored away, so, no, I can't remember exactly.
22	this document later come to light or are later produced.	22	Q Did you say anything about it that you can recall?
23	BY MR. KOROBKIN:	23	A Just we were talking about it to the point, "Is this the
24	Q Officer Cole, I'm done with that exhibit.	24	same place that we went over? You know, okay."
25	A I just wanted to see what was on there.	25	Q And this came about because you or someone you know saw
	Page 7		Page 9
1		1	
1 2		1 2	something about it
	Q Sure. Officer Cole, did you review anything before		
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4 (Pages 10 to 13)

		- /			20,
		Page 10			Page 12
1		other division?	1	Α	No.
2	Α	No.	2	Q	
3	Q	That was your assignment?	3	*	other than the Detroit Police Department?
4	À	That was my assignment.	4	A	No.
5	Q		5		Did you receive any training in connection with your
6	A	and the second of the second o	6	V	private security job? Yeah, that's the question. Did you
7	Q	How long have you been with the department?	7		receive any training in connection with your private
8	A	A little over thirteen years.	8		security job?
9	Q	and a second second second second second second second second second second second second second second second	9		Depending on the task at hand, it's kind of one of those
10	V	school?	10	А	things that intermeshed. The training from the police
11	Δ	No. I went to college. I did some other work.	11		department and training in the security job kind of
12	_		12		
13	Q	graduate high school?	13		intermeshed. They never took me aside and basically said,
14	A	•	14		"Okay. We're going to sit and show you how to do
15	A	I graduated from Cass Technical High School. Currently I			surveillance work." It's kind of one of those things you
		am a student of biology at Wayne State. I have a	15		picked up while working, skills you picked up.
16		certificate Oh, let's see. I'm a pharmacy technician,	16		So the only law enforcement training you have had has been
17		so I have a certificate in pharmacy technology. I have	17		in connection with your employment with the Detroit Police
18		been to numerous classes and numerous other things. I	18		Department?
19		don't know how far you want me to go. I could probably	19	A	Yes. I would say so, yes.
20		talk to you for two hours about everything I have done	20	Q	Have you been to a police academy?
21	_	over the years.	21	A	Yes.
22	Q	Well, we don't have that much time.	22	Q	What academy?
23	A		23		Detroit Metropolitan Police Academy.
24	Q	Let me ask you, do you have any law enforcement experience	24	Q	And did you complete your service at the academy?
25		outside of the Detroit Police Department?	25	Α	Yes.
				11	1 60.
4-2		Page 11			Page 13
1	A		1	Q	Page 13
	A Q	Page 11			Page 13 When was that?
1	_	Page 11	1	Q A	Page 13 When was that? In '99.
1	_	Page 11  No.  Do you have any security or other experience that would	1 2	Q A Q	Page 13 When was that?
1 2 3	_	Page 11  No.  Do you have any security or other experience that would require or expect use of force outside the Detroit Police	1 2 -3	Q A —Q	Page 13 When was that? In '99. —And-was-that-at-or-around-the-same-time-you-were-hired-by—the Detroit Police Department?
1 2 3 4	Q A	Page 11  No.  Do you have any security or other experience that would require or expect use of force outside the Detroit Police Department?  Yes.	1 2 -34	Q A —Q	Page 13 When was that? In '99. And-was-that-at-or-around-the-same-time-you-were-hired-by—the Detroit Police Department? You're technically hired in the academy. They start
1 2 3 4 5	Q	Page 11  No.  Do you have any security or other experience that would require or expect use of force outside the Detroit Police Department?  Yes.  Can you tell me what that is?	1 2 -3 -4 5	Q A =Q=	Page 13  When was that? In '99.  And-was-that at or around-the same-time-you-were-hired by—the Detroit Police Department?  You're technically hired in the academy. They start cutting you a check while you're there. So before your
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### 5 (Pages 14 to 17)

	5 (Pages	14	to	17)
	Page 14			Page 16
1	for weeklies or monthlies in and out with my service for	1.		that correct?
1 2	this department. So I can't even go through all of them.	. 2	Α	Yes.
3	It's like one of these things, "We're sending you, you,	3		I'm going to ask you to just take a moment to review this
4	and you. Go work with them."	4		document and tell me, does it appear to list all of the
5	Q Have you held a rank other than sergeant or officer since	5		training you have been provided while employed at the
6	you have been hired within the Detroit Police Department?	6		department?
7	A No.	7		I've never seen this before. Yeah, it looks like a
8	Q When were you promoted to the rank that you currently	8		complete list of my training.
9	hold?	9	Q	Very good. Who has the highlighted copy?
10	A December It's going to be like December of last year,	10	À	I do.
11	the second or third week in December.	11	Q	Can you take a look at the highlighted line on page 5 of
12	Q Have you ever been demoted?	12	-	6?
1.3	A No.	13	Α	Mm-lumm.
14	Q Have you ever been denied a promotion for which you	14	Q	It says "Controlled F.O.R.C.E. Level 1 & Level 2"?
15	applied?	15	Α	Mm-hmm.
16	A We were just discussing that. I wasn't denied a	16	Q	Can you tell me, do you know what that is?
17	promotion. I was passed over, and there was a civil	17	Α	Controlled F.O.R.C.E. is kind of like a martial arts
18	lawsuit that was filed that actually got some sergeants	18		technique that utilizes joint maneuvers and turns. As
19	demoted, and instead of me being promoted off the old	19		best as I can tell you, it's similar to Akido, A-K-I-D-O.
20	list, I was promoted off a new list which kind of held me	20		It's more of a manipulation, a joint manipulation. And I
21	up because I should have been promoted off the old one and	21		was there for two weeks, and they basically instructed us
22	took the new one to become a lieutenant. I should have	22		and made us instructors in the technique and how we were
23	been a lieutenant by now.	23		supposed to teach it throughout the department.
24	Q So you expected to be promoted earlier than you actually	24	Q	Are you familiar with the phrase "use of force"?
25	D	25		Yes.
25	were?		Α	16.
			Α	
	Page 15	-		Page 17
1	Page 15 A Correct.	1	Q	Page 17 Would you characterize that class as teaching you anything
1 2	Page 15  A Correct.  Q And you're saying that the only reason you weren't was	1 2	Q	Page 17  Would you characterize that class as teaching you anything on the use of force?
1 2 —3	Page 15  A Correct.  Q And you're saying that the only reason you weren't was because of a civil-lawsuit against the City of Detroit?	1 2	Q A_	Page 17  Would you characterize that class as teaching you anything on the use of force?  They go through a little bit of the use of force and where
1 2 34	Page 15  A Correct.  Q And you're saying that the only reason you weren't was because of a civil-lawsuit against the City of Detroit?  A No. What had happened was that our ex-chief promoted	1 2 3	Q A	Page 17  Would you characterize that class as teaching you anything on the use of force?  They go through a little bit of the use of force and where it falls into the force continuum, the spectrum, but it's
1 2 3 4 5	Page 15  A Correct.  Q And you're saying that the only reason you weren't was because of a civil lawsuit against the City of Detroit?  A No. What had happened was that our ex-chief promoted people out of turn, and because of that, when she did	1 2 3 4 5	Q A	Page 17  Would you characterize that class as teaching you anything on the use of force?  They go through a little bit of the use of force and where it falls into the force continuum, the spectrum, but it's similar to an open-hands technique, so it would be one of
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### 6 (Pages 18 to 21)

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		Page 18			Page 20
1		blow or divert the blow. And it's basically, like I said,	1		The thing that would I was told basically like taking
2		it's a joint manipulation test. But most of this was	2		up parking spaces, blocking the street, causing issues in
3		after something has already escalated. You're not going	3		the neighborhood because of this illegal activity.
4		to just walk up to somebody and use a Controlled	4	Q	Was that law or statute reviewed in the academy as well?
5		F.O.R.C.E. technique to somebody that's just standing	5		I think that came out after I was in the academy. It came
6		there. It doesn't work that way.	6		out, if I remember correctly, I think it came out
7	0	Was the person who taught the class a law enforcement	7		afterwards.
8.	~	official?	8	Q	So when, to the best of your knowledge, when did you
9	Á	I don't remember.	9		receive training, if any, on that?
10		Okay. That's the only question I have on that particular	10		Years ago. I don't remember.
11	`	issue, but I want you to keep looking at that document.	11	Q	Ten years ago? Five years ago?
12		Is there any training you have received since completing	12	A	Your guess is as good as mine.
13		the academy that's not listed on that document as far as	13	Q	Any time within the few years just prior to the raid that
14		you can tell?	14		happened in this case?
15	Α	I think this is pretty much a summary. Yes, this is a	15	Α	Did we go over it?
16		summary of what I have taken.	16	Q	Yes.
17	Q	I'll take that back.	17	Α	I don't recall.
18		Are you familiar with the Detroit ordinance	18	Q	Execution of search warrants, was that covered at the
19		referred to as loitering in a place of illegal occupation?	19		academy?
20	A	Yes.	20	A	Yes.
21	Q	Have you ever received training specific to that	21	Q	Did you receive any training on execution of search
22		ordinance?	22		warrants after you left the academy?
23	A	As in what the meaning of the ordinance was and why would	23	Α	Yes.
24		you write this ticket? Yeah, you would have it in the	24	Q	When was that?
25		academy and basically your FTO program, and I have written	25	A	When I was at the fatal squad, I was shown how to create a
		Page 19			Page 21
1		a ticket before. I don't know the gist of it, but it	1		search warrant, do up the packet, get the affidavit
2		basically amounts to if there's an illegal activity and if	2		signed, get a prosecutor to sign off on it, take it down
3_		somebody is there.	3		to the judge's office. They walked me through that
4	Q	Let me just direct you to whether you have had specific	4		because that's what they needed me down there for was to
5		training about when that could be when that ticket	5		process their felony warrants.
6		could be issued.	6	Q	Were you given any training regarding who may be detained
7	· A	,	7		during the execution of a search warrant?
8		tickets? Because when we go through the academy, they	8	A	I know from previous experience, not maybe directly
9		give us the complete ord book, and we go through the	9		training. If we have to hold a scene for a search warrant
10		majority of the entire book one at a time. So, yes, at	10		and a person, say, leaves the premises, you can't keep
11		the academy, we did, but it may have been a very brief	11		that – you can't keep that person there. You can't hold
12		going over of what this ticket means and what it's used	12		him there. He's free to go until the search warrant gets
13		for.	13		signed, and then, unless you believe there's risk of
14	Q	Right. And that would have been the academy in 1999; is-	14.		evidence being destroyed, i.e., the person is leaving, but
15		that right?	15		he set fire to the place or something to that extent, then
16		Correct. Yes.	16		you can detain him and make entry into the building to hold it to obtain the search warrant and then move
17	Q		17		
18		ordinance has been discussed in a training session?	18	0	forward.  So, in other words, the search warrant allows you to
19		No.	19 20	Ų	search the place described in the search warrant or the
20	Q				person described in the search warrant?
21	Α	Yes. It's when they have been taking property or vehicles if they're basically shown to be a nuisance and causing a	21	Δ	Correct.
22		disturbance to the neighborhood; i.e., a blind pig, a dope	23		It doesn't necessarily authorize you to detain someone who
23		mannerance of the neighborhood, i.e., a bind big, a dobe		~	The state of the s
24			24		happens to be on the premises?
24 25		house, prostitution, anything that leads up to illegal activity that will cause a nuisance to the neighborhood.	24		happens to be on the premises?  Not at that particular moment. Well, when you have a

		7 (Pages	22	to	25)
		Page 22			Page 24
1		search warrant in hand, yes. Say you're going in. You	1	A	How much? Because I can bring in Do you want just
2		have a place that's a suspected grow house operation, and	2		pertinent to this? Or I can bring in stuff that you guys
3		this is a similar set of circumstances. It gives you the	3		can't see because it's only disclosed for law enforcement
4		right to hold that person that's inside of it if you go in	4		only. From my training, you can see that I have had stuff
5		there and find him. He can't just walk out after you have	5		in chemical weapons and weapons of mass destruction.
6		the search warrant in hand and just leave the premises;	6		Nothing personal, but you won't get those.
7		now it's too late. You can hold them now because it's	7	Q	Sure. Why don't you produce them to your attorney, and he
8		named in the search warrant, any and all persons that are	8		knows what we have asked for, and then he'll make an
9		contained in the premises. You can hold them and search	9		assessment of whether it should be produced to us.
10		them and arrest them if you have probable cause to do so.	10	A	*
11	Q	, , ,	11	Q	
12		premises?	12		is that right?
13	A		13	A	
14	Q	,,,	14	Q	•
15		probable cause?	15	A	
16 17	_	Correct. Absolutely.	16		Correction. I was. It was a mobile precinct, and we get
18	Q		17		sent city-wide and basically where the issues are in the
19	Δ	need for individualized probable cause?  This person belongs to me? I saw him committing the act?	18 19		city. If there's a lot of robberies or homicides or
20	Q		20		shootings, they would send us in. We also answer police runs. We also assist parcotics. We also assist vice or
21	~	have probable cause for the particular individual that's	21		any unit that needs uniform presence from every walk of
22		being detained, searched, or arrested as opposed to a	22		life. Every unit in this department we have assisted that
23		large group of people?	23		l can remember.
24	Α		24	0	Is it a sub unit within some other division in the
25	Q	And what is your understanding of the training you	25		department, or is it its own freestanding unit?
		Page 23			Page 25
1		received?	1	A	I know it's separated now. At that particular moment in
2	Α	That this person belongs to me. This is my person. This	2		time, it was part of homeland security, if I remember
3	toraș :	person-belongs-to-me.—You-have-to-follow-through-the	3		correctly, along-with-the-SWAT-team or SRT-and-the snipers-
4		chain with this person. And also, especially with mass	4		and K-9.
5		arrests, you can't have one person writing a hundred	5		It was joined with SRT?
6		tickets. It's impossible to justify probable cause on	6		Not joined in the aspect of umbrella. You asked if it was
7		that unless you're, you know, House or not House, a	7		a sub part. Yes. It was like an umbrella of these units
8		monk, and you're an idiot savant, and you say, "Yeah,	8		fall under these units; these units fall under patrol. So
9		that's him. He's got blue eyes. He's five foot"	9		we were under the same umbrella, but we didn't like go out
10 11		Unless you're an idiot savant, there's no way you can	10		together every day, the same time every day; no, we didn't
12	Q	remember all that.  When you say, "This person belongs to me," you mean, "I	11 12	Δ	do that.
13	Q	know the basis for probable cause for this individual	13		So I may have missed who was under the same umbrella at the time, if you remember?
14		person"?	14		If I remember correctly, we were under homeland security
15	Α	Correct,	15		which was us, SRT, K-9, and the snipers.
16	Q		16	Q	Were you ever a sergeant in tac mobile?
<b>1</b> 7	`	written materials to take away with you?	17	Ā	, ,
18	A		18	Q	That promotion came later?
19	Q	Do you keep those materials?	19	À	

20

21

22

23

24

25

know?

Thousands?

A Oh, no, no.

Q How many officers were in tac mobile at the time, if you

Q Can you give me some sort of ballpark? Hundreds?

A I don't remember that exact number, no.

20

21

23

24

25

A If it's something that I haven't had duplicates of

Q Is there a particular place where you keep them?

Q Okay. Can I ask you to produce those to your attorney at

already, yes, I keep them.

your earliest convenience?

A In my office at home.

8 (Pages 26 to 29)

			ı		
		Page 26			Page 28
1	Q	Ten?	1		a raid on a blind pig?
2	A		2	Α	
3	Q		3	Q	What is the purpose of the raid on a blind pig? What is
4 .	À		4	_	the goal in raiding a blind pig?
5	Q		5	A	Usually there's a complaint. Somebody in the neighborhood
6	À		6		complains, a church group, people in the neighborhood,
7		two-person car. That day we were working a third-person	7		that people are out all night causing a disturbance,
8		car. I think it was because we didn't have enough	8		causing problems, cars parked all over the street, parked
9		vehicles that day, so they put me on as a third man on	9		all over the sidewalks. General disarray, that's the best
10		that car. Fifteen is just a number. It has no relative	10		example. And because it's not a licensed establishment or
11		sense to the number of people working that night. It	11		it's a place that doesn't have a liquor license to lose,
12		could be Tac 1, Tac 3, Tac 15, Tac 22. It's kind of one	12		they don't care, Minors are allowed to drink. People
13		of those things that is independent to the officers. It's	13		come and go as they please. Usually narcotics and weapons
14		their car. Tac 15 is their car. My car there, the unit	14		are involved, also. It's a place of ill repute.
15		was Tac 11.	15	0	Is a blind pig a type of a nuisance?
16	Q		16		The building itself? Usually, yes, it is very much of a
17		No, I was not working Tac 11 that night, no.	17		nuisance.
18	Q		18	o	And is it fair to say the purpose of raiding the blind pig
19	`	as you. What's the relationship between tac mobile and	19	`	is to shut down the nuisance?
20		the vice enforcement squad?	20	Α	It's, yeah, to stop the nuisance, to stop the problem,
21	A	Uniform presence.	21		yes.
22	Q		22	o	Is one of your goals to make arrests when you raid a blind
23	~	If there's a need, because they know there's going to be a	23	•	pig?
24		large amount of people, we also That was another one of	24	A	Yes.
25		our tasks was crowd control, riot control. We know how to	25	Q	And who, in general and I'm talking generally who
		Dage 27	<b></b>		Page 20
-		Page 27			Page 29
1		handle mass amounts of people. They'll call us for help,	1		would be the target of such arrests?
1 2.		handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with	2 .		would be the target of such arrests?  The instigators.
2 · 3		handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with nareotics; we assist them: if they know there's going to be	2 .		would be the target of such arrests?  The instigators.  By-instigators,-do-you-mean-the-people-actually-running
2 · 3 · 4		handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going	2 -3 -4	-Q	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running—— the blind pig?
2 ·		handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.	2 -3 -4 5	-Q	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the people actually running—— the blind pig?  It goes both ways. It's the people running it from the
2 · 3 · 4 5 6	Q	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with nareotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an	2 3 4 5 6	-Q	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running——— the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to
2 3 4 5 6		handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?	2 4 5 6	-Q A	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running——— the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to jail, too, because—
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2 4 5 6 7 8		handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned carlier today the term blind pig.	2 3 4 5 6 7 8 9	-Q A Q	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running——— the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to jail, too, because— Please continue.  For whatever, for narcotics, weapon violations, warrants.
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2 3 4 5 6 7 8 9 10	A Q	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them-if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned carlier today the term blind pig.  Can you tell me your understanding of what a blind pig is?  A place that serves alcohol after hours or a place that	2 3 4 5 6 7 8 9 10	-Q A Q	would be the target of such arrests?  The instigators, do-you-mean-the-people actually-running—the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to jail, too, because—Please continue.  For whatever, for narcotics, weapon violations, warrants. You process a person. You run their names, you find out what they have, if they have any issues. If they have
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2 4 5 6 7 8 9 10 11 12 13	A Q A	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotices, we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned carlier today the term blind pig.  Can you tell me your understanding of what a blind pig is?  A place that serves alcohol after hours or a place that doesn't have a liquor license and was selling alcohol without the license during hours.	2 3 4 5 6 7 8 9 10 11 12	A Q A	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running——————————————————————————————————
2 4 5 6 7 8 9 10 11 12 13 14	A Q A	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned carlier today the term blind pig.  Can you tell me your understanding of what a blind pig is?  A place that serves alcohol after hours or a place that doesn't have a liquor license and was selling alcohol without the license during hours.  Anything else?	2 3 4 5 6 7 8 9 10 11 12 13	A Q A	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running——— the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to jail, too, because— Please continue.  For whatever, for narcotics, weapon violations, warrants. You process a person. You run their names, you find out what they have, if they have any issues. If they have felony warrants, they go to jail. It's a multifaceted thing that happens.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q Q	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned cartier today the term blind pig.  Can you tell me your understanding of what a blind pig is?  A place that serves alcohol after hours or a place that doesn't have a liquor license and was selling alcohol without the license during hours.  Anything else?  No.  The answer is no?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running——————————————————————————————————
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q A Q	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned carlier today the term blind pig.  Can you tell me your understanding of what a blind pig is?  A place that serves alcohol after hours or a place that doesn't have a liquor license and was selling alcohol without the license during hours.  Anything else?  No.  The answer is no?  No.  How many times have you participated in a raid of a blind pig?  Hundreds.  Hundreds?  At least over a hundred.  Okay. So it happens all the time?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running—the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to jail, too, because—Please continue.  For whatever, for narcotics, weapon violations, warrants. You process a person. You run their names, you find out what they have, if they have any issues. If they have felony warrants, they go to jail. It's a multifaceted thing that happens.  The people who are not what you described as the—instigators but the people who just happen to be there, if they go to jail, is that because you found something once you detained them there that would cause them to go to jail?  It would be rather the incident itself, depending on the incident itself, the circumstances of each incident, and the person that is there. Each individual circumstance sets up its own set of circumstances. Sometimes they go to jail; times they don't. Sometimes they're ticketed and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A	handle mass amounts of people. They'll call us for help, and we will go assist them. We do the same thing with narcotics; we assist them if they know there's going to be a large amount of people in a place that they were going to go hit.  If you're providing assistance to vice enforcement in an operation or a raid, who is in command?  The head of vice.  Okay. You mentioned carlier today the term blind pig.  Can you tell me your understanding of what a blind pig is?  A place that serves alcohol after hours or a place that doesn't have a liquor license and was selling alcohol without the license during hours.  Anything else?  No.  The answer is no?  No.  How many times have you participated in a raid of a blind pig?  Hundreds,  Hundreds,  At least over a hundred.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A	would be the target of such arrests?  The instigators.  By-instigators, do-you-mean-the-people-actually-running—the blind pig?  It goes both ways. It's the people running it from the security to individuals in the blind pig have gone to jail, too, because—Please continue.  For whatever, for narcotics, weapon violations, warrants. You process a person. You run their names, you find out what they have, if they have any issues. If they have felony warrants, they go to jail. It's a multifaceted thing that happens.  The people who are not what you described as the instigators but the people who just happen to be there, if they go to jail, is that because you found something once you detained them there that would cause them to go to jail?  It would be rather the incident itself, depending on the incident itself, the circumstances of each incident, and the person that is there. Each individual circumstance sets up its own set of circumstances. Sometimes they go

9 (Pages 30 to 33)

	Page 30		Page 32
1	to something different.	1	something was the custom of the police department?
2	Q Would it be fair to say the target or goal of a raid on a	2	A Is this what we do every single time? Yes.
3	blind pig is to shut down the operation?	3	Q Let me ask you to turn over the piece of paper to page 2.
4	A Correct.	4	There are a list of assignments here. Do you see those at
5	Q Are there any other goals or targets of the raid?	5	the top of the list?
6	A It's to stop the nuisance. That's the goal.	6	A Correct.
7	MR. KOROBKIN: I'm going to ask the court	7	Q Which of these, if any, would be given to someone in the
8	reporter to mark Exhibit 3.	8	TMU, tactical mobile unit?
9	(WHEREUPON, Deposition Exhibit 3	9	A Well, this is when the situation exists where it's just
1.0	was marked for identification.)	10	vice doing it.
11	BY MR, KOROBKIN:	11	Q Okay.
12	Q Officer Cole, have you seen this document before?	12	A When you ask for assistance because of more people, the
13	A It looks like the SOPs for a blind pig. I have never seen	13	cusp of this will change because you have a dynamic
14	this sheet of paper individually before, no.	14	incident with a lot more people. This set of
15	Q By SOP, you mean standard	15	circumstances would work out if you had ten, fifteen,
16	A Standard operating procedures. And the reason why is	16	twenty people. When you start getting over fifty, a
17	because it's set up in a certain format that I have seen	17	hundred, two hundred, a thousand, you want to change the
18	before for SOPs.	1.8	sets of circumstances to allow for those numbers of
19	Q Do you believe it comes out of a manual or some type of	19	people.
20	training material?	20	If you want it to be what it would be would
21	A Yeah. Yes.	21	be uniform officers for security, but if you have a
22	Q A manual?	22	thousand people when you hit the raid, my job, my task
23	A I don't know where exactly it came from, no.	23	would be different at tac mobile. I might be going in
24	Q You don't happen to know who wrote it or who prepared it?	24	with SRT as part of the raid crew. But if you were just
25	A No.	25	to do as, like I said, a small one, yes, this is what I
	Page 31		Page 33
1		1	Page 33
1 2	Q Have you ever seen any other documents setting forth	1 2	Page 33 would follow as guidelines, and you would put "need
2	Q Have you ever seen any other documents setting forth policy on blind pig raids other than this one?		Page 33
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10 (Pages 34 to 37)

			1	-	
		Page 34			Page 36
1	Α	We had switched over by this time, yes. We were in our	1		are the SWAT team or the SRT team for the department. Any
2		tac uniforms then or BDUs.	2		badge, white object, or anything else makes them a visible
3	Q		3		target. They go after They make entry from dope houses
4	_	dressed? Well, let me back up. Strike that question.	4		to blind pigs. They don't want anything to make them an
5		In the vice squad, among the officers in the	5		easier target, so they are all in black.
6		vice squad, how are they usually dressed during a raid?	6	٥	So, in fact, the purpose of them being all in black is so
7	A	Black. "Police" on the front, sometimes with masks,	7	Ų	that they can't be identified as police?
8		sometimes not, depending on if they don't Because a lot	8	Δ	No, that's not what I said. The purpose for being all
9		of the vice work undercover, they don't want to let their	9	А	black is not to have a target to be shot at; i.e., if I
10		faces be known, but noticeably the police.	10		
11	О		11		have a nice shiny badge, and here I'm going after a man
12	Q	noticeably the police?	12		with a machine gun, thank you, here's my target. It makes
13	٨	Well, not only that, just the officers in uniform, you're	13		them less of a threat to them and their safety. These are
14	Λ			_	the people that go in.
15		talking about the vehicles and the scout cars that pull	14		So it's more like camouflage?
		up. You're talking with lights activated, ten scout cars	15		Yeah. The use of it is more for camouflage, yes.
16		with lights, flashing lights that are You know when	16	Q	You said that SRT is under the same — was under the same
17		we're coming, it's the police. It's a noticeable	17		homeland security umbrella as TMU?
18	_	presence. It's not like we just pop out of the smoke.	18	_	Correct.
19	.Q	, ,	19	Q	SRT frequently accompanied you on blind pig raids?
20		squad are dressed, are they typically wearing a badge?	20	A	
21	A	Some of them around the neck, yes.	21		control, because the more people, the more threats, the
22	Q	Around the neck?	22		more issues, it's - They you came out sometimes; other
23	A	Yes.	23		times they didn't. Most of the time they only came out
24	Q	Is "Police" written just on the front, or is it written	24		when we knew we were going to have a very large group of
25		all over their uniforms?	25		people that needed to be contained and controlled and
		Page 35			Page 37
1	Α	It depends on the individual officer. They have some	. 1.		dealt with at one particular moment in time.
2		individuality to their dress.	2	Q	
_3_	Q	_Can_you tell-me-how-large the letters or word "Police" is	3	-	It is what we were expecting
4					
5		on the black uniform?	1 4	0	191111-11161111.
6	Α	on the black uniform? On mine?	4 5	Q A	
	_	On mine?	5	_	When we have hit places, we have had them when we hit
7	A Q A	On mine? No. On the vice squad black uniforms.	5 6	_	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place
	Q A	On mine?  No. On the vice squad black uniforms.  It depended on the officer.	5 6 7	Ā.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty
7	Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that	5 6 7 8	Ā.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in
7 8 9	Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer,  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?	5 6 7 8 9	Ā.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty
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7 8 9 10	Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?	5 6 7 8 9 10	Ä.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.
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7 8 9 10 11 12	Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car,	5 6 7 8 9 10 11 12	Q.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?
7 8 9 10 11 12 13	Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would	5 6 7 8 9 10 11 12 13	A. Q	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.
7 8 9 10 11 12 13 14	Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?	5 6 7 8 9 10 11 12 13 14	A. Q. A. Q.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?
7 8 9 10 11 12 13 14	Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was	5 6 7 8 9 10 11 12 13 14 15	Q Q A Q A	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?  Yes.
7 8 9 10 11 12 13 14 15	Q A Q A Q A	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying —	5 6 7 8 9 10 11 12 13 14 15 16	A. Q. A. Q. A. Q.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander: You said you have been on hundreds of blind pig raids? Yes, Is it your experience that when there are approximately a
7 8 9 10 11 12 13 14 - 15 16 17	Q A Q A Q A A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying —anything on their uniforms.	5 6 7 8 9 10 11 12 13 14 15 16 17	Q Q A Q	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander: You said you have been on hundreds of blind pig raids? Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?
7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q Q A A Q Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying —anything on their uniforms.  SRT is special —	5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q. A. Q. A. Q. A.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander: You said you have been on hundreds of blind pig raids? Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?  It's been my experience, when there was a thought that
7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A A	On mine?  No. On the vice squad black uniforms. It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying —anything on their uniforms.  SRT is special —  — response team, yes.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Q. A. Q. A. Q. A.	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?  Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?  It's been my experience, when there was a thought that there would be a lot of people, yes, that SRT would have
7 8 9 10 11 12 13 14 - 15 16 17 18 19 20 21	Q A Q A Q A Q A Q A Q	On mine?  No. On the vice squad black uniforms. It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying—anything on their uniforms.  SRT is special—  — response team, yes.  Special response team. What do they wear?	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?  Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?  It's been my experience, when there was a thought that there would be a lot of people, yes, that SRT would have been along, yes.
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q A A	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying —anything on their uniforms.  SRT is special —  —response team, yes.  Special response team. What do they wear?  All black.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q Q A	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?  Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?  It's been my experience, when there was a thought that there would be a lot of people, yes, that SRT would have been along, yes.  Would a hundred be, as you say, a lot?
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying—anything on their uniforms.  SRT is special——response team, yes.  Special response team. What do they wear?  All black.  And why don't they have anything written on their uniforms	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?  Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?  It's been my experience, when there was a thought that there would be a lot of people, yes, that SRT would have been along, yes.  Would a hundred be, as you say, a lot?  It would be dictated by the commander. We would just be
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q A Q A Q A Q	On mine?  No. On the vice squad black uniforms.  It depended on the officer.  Have you ever seen an officer wearing a black uniform that did not say "Police" at all?  Yes.  And have you seen that during a blind pig raid before?  Yes.  And other than the fact that they got out of a police car, is there anything about that person's dress that would designate them as a police officer?  Well, you were asking for officers at the scene, and I was going to tell you SRT, because they have no identifying —anything on their uniforms.  SRT is special —  —response team, yes.  Special response team. What do they wear?  All black.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A	When we have hit places, we have had them when we hit places that have five hundred people. When we hit a place — I can remember we used them when there was only twenty people, but that wasn't what we thought was going to be in there. By the time we got there, there was only twenty people there. It's just happenstance and circumstances on when they were used.  So if you expected about a hundred people, would that be something you would use SRT for?  That would have been up to the commander.  You said you have been on hundreds of blind pig raids?  Yes.  Is it your experience that when there are approximately a hundred people, SRT accompanies the raid?  It's been my experience, when there was a thought that there would be a lot of people, yes, that SRT would have been along, yes.  Would a hundred be, as you say, a lot?

11 (Pages 38 to 41)

			1		•
		Page 38			Page 40
1		set of circumstances.	1		we'll get to the actual raid that happened in a moment,
2	Q	So when you say a lot, you're not really sure?	2		but I just wanted to know, as a general matter, which
3	Α	Their guidelines, what a lot was, no.	3		teams go in first?
4	Q	Now, you also said it would have to be a crowd that would	4	Α	As a general matter, usually vice goes through first.
5		need to be controlled in some way?	5	Q	And they're wearing all black?
6	A	Well, when you do a vice raid, you don't want people just	6	À	And they are wearing their modified uniforms, yes.
7		running all over the place. Plus there's always the	7	Q	When would you go in as a member of SMU? I'm sorry.
8		threat of a person with a weapon, them panicking, hostages	8	À	TMU?
9		being taken, weapons being thrown, people assaulting	9	Q	TMU.
10		officers, people trying to get away and assaulting	10	À	Once again, depending on the set of circumstances, I have
11		officers on their way out. I have seen a lot that's	11		been before on an entry crew; I have been just rear
12		happened during vice raids, yes, or any particular raid of	12		security; I have helped assist to clear locations; and I
1.3		a large group of people.	13		have just stood there in an alleyway waiting for people to
14	Q	If there was no expectation of that kind of a threat,	14		hop the fence. It depended on the set of circumstances at
15		would that be an indication that SRT should not come?	15		that particular moment, at that time, and someone pointing
16	A	That's wasn't my decision. It would be the commander to	16		to me and saying, "You're going in."
17		make that decision if they were coming or not.	17		Do you happen to know if there's a Detroit Police
18	Q		18		Department policy regarding when officers must have their
19	Ā	I can tell you there were times I wish we had them when we	19		name and badge number visible?
20		showed up, and we didn't.	20		I know on uniform patrol there's a set of guidelines for
21	Q		21		uniform patrol, where their badge, where their name tag
22	-	based solely on numbers of people, or would it also be	22		has to be, but that's for uniform patrol. Each unit is
23		based on the expectation of the reaction of the people	23		allowed to have modified uniforms. I know tactical
24		that were going to be there?	24		mobile, we had our uniform patrol; we had a modified
25	Α		25		uniform; we had a jumpsuit if we knew we were going to be
		Dama 20			7
		Page 39			Page 41
1		circumstances. Each one of those dictated those, and that	1	1	Page 41 using tear gas; and then towards the end we were in what
2		circumstances. Bach one of those dictated those, and that was up to, like, once again, commander of vice. Commander	1 2		<u> </u>
2		circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by	2		using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU uniform with the name tag and a
2 3 4		circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids	2 -3 -4	1 i	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU uniform with the name tag and a badge, but it's all black.
2 3 4 5		circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.	2 -3 -4 5	Q	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and abadge, but it's all black.  And that's what you were wearing on March 31st, 2008?
2 3 4 5 6	Q	circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make	2 -3 -4 5 -6	Q A	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and abadge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.
2 3 4 5 6 7		circumstances. Bach one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?	2 4 5 6 7	Q A Q	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and a badge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct,  Have you ever participated in surveillance of a blind pig
2 3 4 5 6 7 8	A	circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.	2 4 5 6 7 8	Q A Q	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and a badge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?
2 3 4 5 6 7 8		circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.  Do you happen to know what criteria were used to make the	2 3 4 5 6 7 8 9	Q A Q A A	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag and a badge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?  No.
2 3 4 5 6 7 8 9	A Q	circumstances. Bach one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.  Do you happen to know what criteria were used to make the decision about whether SRT was needed?	2 -3 -4 5 6 7 8 9	Q A Q A Q Q	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag and a badge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?  No.  Now, if you look on the piece of paper you're looking at
2 3 4 5 6 7 8 9 10 11	A Q	circumstances. Bach one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.  Do you happen to know what criteria were used to make the decision about whether SRT was needed?  Besides, like I said before, violence and numbers, that's	2 3 4 5 6 7 8 9 10	Q A Q 1 A Q 1	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag and a badge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?  No.  Now, if you look on the piece of paper you're looking at now, it says raid commander, and
2 3 4 5 6 7 8 9 10 11	A Q	circumstances. Each one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.  Do you happen to know what criteria were used to make the decision about whether SRT was needed?  Besides, like I said before, violence and numbers, that's usually the criteria, either violence or numbers. If	2 3 4 5 6 7 8 9 10 11	Q A Q A Q i	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and abadge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?  No.  Now, if you look on the piece of paper you're looking at now, it says raid commander and deputy raid commander, and it lists them as being a lieutenant and a sergeant. Would
2 3 4 5 6 7 8 9 10 11 12	A Q	circumstances. Bach one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.  Do you happen to know what criteria were used to make the decision about whether SRT was needed?  Besides, like I said before, violence and numbers, that's usually the criteria, either violence or numbers. If we're expecting a lot of people, we had the use of SRT.	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q 1 A Q 1 i i	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and a badge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?  No.  Now, if you look on the piece of paper you're looking at now, it says raid commander and deputy raid commander, and it lists them as being a lieutenant and a sergeant. Would those officers be lieutenants and sergeants in the vice
2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	circumstances. Bach one of those dictated those, and that was up to, like, once again, commander of vice. Commander of vice, if they needed our help, that was dictated by them. They did vice raids without us; they did vice raids with us.  So I understand what you're saying, that you didn't make that decision?  No.  Do you happen to know what criteria were used to make the decision about whether SRT was needed?  Besides, like I said before, violence and numbers, that's usually the criteria, either violence or numbers. If we're expecting a lot of people, we had the use of SRT.  The SRT was used. If we expected violence, SRT was used.	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q I i i i i i i i i i i i i i i i i i i	using tear gas; and then towards the end we were in what became our uniform and is still our uniform to this day which is basically the BDU-uniform with the name tag-and abadge, but it's all black.  And that's what you were wearing on March 31st, 2008?  Correct.  Have you ever participated in surveillance of a blind pig before a raid occurs?  No.  Now, if you look on the piece of paper you're looking at now, it says raid commander and deputy raid commander, and it lists them as being a lieutenant and a sergeant. Would those officers be lieutenants and sergeants in the vice squad?
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### 12 (Pages 42 to 45)

		IZ (Pages	. <del>4</del> ∠	10 45)
		Page 42		Page 44
1	Α	That would be the officer in charge of the Yes	1	Q So if there were a raid plan, you would not see it?
2	Q		2	A No, I would not see it. No.
3	`	commander and an OIC	3	Q All right. Let me focus your attention finally on the
4	Α	No.	4	raid of the Contemporary Art Institute of Detroit on May
5	Q		5	31st, 2008, which I'm going to refer to as the CAID raid.
6		No. Well, I'm not saying there might not be There may	6	Do you understand?
7	•	be two different people depending on who is there, but	7	A Mm-hmm,
8		they could be the same person, could be two different	8	
9		people. You can have the officer in charge of the unit,	9	Q So who was the raid commander during the CAID raid?  A Lieutenant Yost.
10		but this person here is in charge of the incident.	_	
11	_		10	Q. Was that also the officer in charge?
12	Q	1 0 7	11	A Yes.
13		"Briefing - raid security." Then it says "U/C." What is	12	Q And who was the deputy raid commander?
		"U/C"? Do you know?	13	A I wouldn't I don't know. I don't remember that.
14	_	Undercover.	14	Q Did you know at the time?
15	Q	, , , , , , , , , , , , , , , , , , , ,	15	A No.
16		briefing?	16	Q So what's the role of the deputy raid commander?
17	_	Yes.	17	A Basically a second set of supervision.
18	Q	S	18	Q Well, if you didn't know who it was, how would you know
19	A	The location, what's to be expected, the number of people,	19	whether to take an order from someone who gives you an
20		what our roles will be.	20	order during the raid?
21	Q	5	21	A Usually at tac mobile, we're flexible. If somebody tells
22	Α	Usually the commander of the raid.	22	us to do something, that's what our goal is. We basically
23	Q	1	23	do what they ask us to do.
24		raid?	24	Q Because your role is to assist?
25	Α	No.	25	A Exactly,
			1	1x Endoug.
		Page 43	İ	Page 45
1.	Q	Page 43 When is that decided?	1	Page 45
1 2	•	When is that decided?	1 2	Page 45  Q Do you happen to know, in numbers one through nine that's
	À	When is that decided?  Because you don't know what's going to be there.	2	Page 45  Q Do you happen to know, in numbers one through nine that's listed there on the back of the sheet, do you happen to
2	À	When is that decided?  Because you don't know what's going to be there.  What about charging everyone with loitering, a loitering.	2 3	Page 45  Q Do you happen to know, in numbers one through nine that's listed there on the back of the sheet, do you happen to know-who-was-assigned to any of those tasks?
2 3	À	When is that decided?  Because you don't know what's going to be there.  What about charging everyone with loitering, a loitering  offense? Is that something that's discussed at the	2 34	Page 45  Q Do you happen to know, in numbers one through nine that's listed there on the back of the sheet, do you happen to know-who-was-assigned to any of those tasks?  A I don't know besides Lieutenant Yost.
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2 3 4 5	À Q	When is that decided?  Because you don't know what's going to be there.  What about charging everyone with loitering, a loitering offense? Is that something that's discussed at the briefing?  The charges that are coming out, yes, you're going to get	2 -3 -4 5 6	Page 45  Q Do you happen to know, in numbers one through nine that's listed there on the back of the sheet, do you happen to know-who-was-assigned-to-any-of-those-tasks?  A I don't know besides Lieutenant Yost.  Q Right. Is it fair to say they would have been vice squad members?
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2 3 4 5 6 7 8 9 10 21 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A	When is that decided?  Because you don't know what's going to be there.  What about charging everyone with loitering, a loitering offense? Is that something that's discussed at the briefing?  The charges that are coming out, yes, you're going to get the The goal is to get the operators, ticket the loiterers, get rid of the nuisance. This is the problem.  They basically tell us what the problem is, and this is what we're going over there to do.  Is there anything written that's given to you during a briefing?  No.  Do you happen to know if there's usually anything written about the raid in advance?  No. That's not my scope.  Okay. Have you ever heard of a raid plan?  Yes.  What is a raid plan?  Usually, with narcotics, I have seen raid plans basically be photos of the place, sometimes aerial photos, a write-up, what the issue is. It's a packet.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 45  Q Do you happen to know, in numbers one through nine that's listed there on the back of the sheet, do you happen to know-who-was-assigned-to-any-of-those-tasks?  A I don't know besides Lieutenant Yost.  Q Right. Is it fair to say they would have been vice squad members?  A Yes.  Q Is it fair to say they would have been dressed in all black?  A Yeah. In their modified uniforms, yes.  Q And is it fair to say they would have been the first ones in?  A No.  MR. ASHFORD: I'll-object: What do you mean by "they"? Are you talking about raid members?  BY MR. KOROBKIN:  Q Yeah. I'm talking about numbers one through nine who you have said would be all vice squad members?  A Yeah.  Q Would they be the first ones in? Let me ask this: Were they the first ones in?

13 (Pages 46 to 49)

			1		
		Page 46			Page 48
1	A	All black,	1	Q	There is something down here under "Prisoner Processing."
2	Q	Did it say "Police" anywhere on their uniform?	2	À	_
3	A		3	Q	It says, "Photo of all engagers and loiterers." Did that
4	Q	Okay. It says, under "Raid Procedures," if you go down	4	_	happen that night?
5		about halfway, it says "Assignments, Entry, Identification	5	Α	
6		of all Engagers, Seizure of persons and evidence." Do you	6	Q	
7		see that?	7	À	
8	A	Yes.	8	Q	
9	Q	Who would be the person to identify all the engagers?	9	A	
10	Ā		10	Q	
11	Q		11	À	• •
12	A	<u> </u>	12	Q	And they were from many different teams?
13		operator or the people being there. It depends on what	13	Ā	Correct,
14		you're asking. That's kind of an open-ended word.	14	Q	Was the warrant read during the briefing?
15	Q		15	Ā	No. I don't remember a warrant being read, no.
16	`	all be considered engagers, or would some of them be	16	Q	Did you happen to know whether there was a warrant?
17		considered engagers and others loiterers?	17	Ā	No.
18	Α	Engagers is one of those words that's just covering	18	Q	Is there usually a warrant before a blind pig raid?
19		everything. It could cover an operator or a loiterer or	19	Ā	No.
20		someone there or the DJ playing the music.	20		MR. ASHFORD: Maybe this would be a good time
21	Q		21		for a break.
22	-	That's a vice Wait a minute. "Seizure of persons and	22		MR. KOROBKIN: Let me finish up with two more
23		evidence"? Where? Oh, okay.	23		quick questions, and we'll take a break.
24	Q		24		/ MR. KOROBKIN:
25	À		25		During the briefing, did you take any written notes?
					The state of the s
		D 10			
		Page 47			Page 49
1	Q	Does that refer to seizure of everyone that happens to be	1	A	Page 49 No.
1 2	Q	-	1 2	A Q	No.
	Q _A	Does that refer to seizure of everyone that happens to be	1	Q	No. Does anyone take any written notes during a briefing?
	Q =A Q	Does that refer to seizure of everyone that happens to be there?	2	Q <u>A</u>	No.  Does anyone take any written notes during a briefing?  —It—would-be-no-nothing-more-than-writing-down-the
2 3	^_	Does that refer to seizure of everyone that happens to be there?  If they re-contained inside the premises, yes.	2 _3	Q <u>A</u>	No.  Does anyone take any written notes during a briefing?  It-would-be, no, nothing more than writing down the address of where we're going.
2 34	_ <u>A</u> Q	Does that refer to seizure of everyone that happens to be there?  If they're contained inside the premises, yes.  Go ahead. Sorry.	2 -34	Q <u>-A</u> -	No.  Does anyone take any written notes during a briefing?  It-would-be, no, nothing more than writing down the address of where we're going.
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14 (Pages 50 to 53)

		, 5	1	_	,
		Page 50			Page 52
1	Α	We all pulled up en masse. SRT went in. A few vice	1		are you, the Gestapo?" Something to that effect. But
2		members went in with them, and then we followed through,	2		like I said, just verbal defiance, just nobody that was
3		because there was a lot more people than they thought, and	3		actually physically fighting, resisting, no, nothing like
4		plus there was an interior and an exterior. It needed to	4		that,
5		be contained. So I had made my way through the building	5	o	
6		and then made my way outside.	6	Q	this, the Gestapo?" already on the ground?
7	Q		7	٨	I just remember somebody saying it, but I don't know if he
8	A	- "	8	A	
9	0		9		I just remember someone saying it. I don't know if he
10	V	time passed between when the raid began and when you.went	10	_	was on the ground completely or standing up saying it.  Was it a man or a woman?
11		in the building?	11	Q	was it a man or a woman? It was a man.
12	A				
13	Q		12	Ų	Do you recall anyone outside indicating that either they
14	A	to me entering the front door?	13	1	were an attorney or they were related to an attorney?
15			14		No.
16	Q A		15	Ų	Did you witness any physical altercation or interaction or
			16		contact between any of the other police officers and the
17	Q		17		patrons at the CAID?
18	A	It was supposed to be a uniformed presence and basically	18	_	You mean like a fight?
19	0	crowd control, deal with the people.	19	Q	Physical disruption or a fight.
20	Q	, , , , , , , , , , , , , , , , , , ,	20	A	
21		entered the building?	21	Q	Did you notice any police officer physically taking
22	А	I went in. I remember doing a quick sweep around the	22		someone down to the ground?
23		building. I remember there being a set of stairs. I	23		No.
24		checked the stairs to see if there was any people in the	24	Q	Did you notice any police officer shoving or pushing a
25		stairs. I came back down, and then I went outside.	25		patron?
		Page 51			Page 53
1	Q	Can you describe what you remember of the situation when	1,	Α	When we were processing people, there was people that were
2	•	you went inside the building?	2		being walked into the building, and some of them weren't
3		you wont made the building:	[ 4		being warked into the building, and some of them werent
	A.	<del>-</del>	3		
4	A	I remember walking in As-soon as you walked in there	Ì		complying-by-physically-walking-into-the-building-like
4 5	A.	I-remember walking in As-soon as you walked in there was a counter. It had a sign on it with the drink prices.	3==		complying by physically walking into the building like they were supposed to. Yes, some people were being guided
	A.	I remember walking in. As soon as you walked in, there was a counter. It had a sign on it with the drink prices.  I remember it was just an open space. I remember joking	-3 4		complying by physically walking into the building like they were supposed to. Yes, some people were being guided back into the building, but pushing and shoving them, no.
5	A.	I remember walking in. As soon as you walked in, there was a counter. It had a sign on it with the drink prices.  I remember it was just an open space. I remember joking about it being an art institute, but there's no art.	3 4 5		they were supposed to. Yes, some people were being guided back into the building, but pushing and shoving them, no.  More, "Here, you need to come this way. Let's go back
5 6	<u></u> A.	Lemember walking in. As-soon as you walked in, there was a counter. It had a sign on it with the drink prices.  I remember it was just an open space. I remember joking about it being an art institute, but there's no art.  There was nothing there, just open, and then cracked a	4 5 6		they were supposed to. Yes, some people were being guided back into the building, but pushing and shoving them, no. More, "Here, you need to come this way. Let's go back into the building."
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q Q	Lemember walking in.—As-soon as-you-walked in, there was a counter. It had a sign on it with the drink prices. I remember it was just an open space. I remember joking about it being an art institute, but there's no art.  There was nothing there, just open, and then cracked a joke about how much the drinks were. Went outside, a bunch of picnic tables, people outside, a bunch of people, you know, seventy, eighty people.  What was the behavior of the people inside and outside? Some of the people were getting on the ground. Some of the people were talking, what would be verbal defiance, you know, but most people complied. Basically, that was the gist of it. Once we all made it in, everybody was told to get on the ground, and most were compliant. By the time you made it into the building, were most people on the ground?  Yeah. There was quite a few people on the floor, yes. And is the same true, by the time you made it outside, were most people outside on the ground?  Yeah. From my recollection, yes.  You said there was verbal defiance. Can you describe	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q A Q	they were supposed to. Yes, some people were being guided back into the building, but pushing and shoving them, no.  More, "Here, you need to come this way. Let's go back into the building."  And that was not during the initial stage when everyone was getting down on the ground?  No.  That was later?  That was later.  When you first made it into the building and again when you first made it into the outside area, did you witness anyone engaged in illegal activity?  What do you mean? Did I visibly see anybody?  Did you personally, yes, see anybody engaged in illegal activity?  No.  You mentioned previously that the vice squad members sometimes use face masks to cover their face when they—Yes.

15 (Pages 54 to 57)

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		Page 54			Page 56
1.	A	Not particularly. I can't remember and point people out,	1		probably would not?
2		no,	2	Α	Well, SRT doesn't have handguns. They have rifles, so
3	Q	Do you remember seeing Lieutenant Yost that night?	3		their weapons are always at ready.
4	Α	Yes.	4	Q	
5	Q	What was she wearing?	5	Α	Yeah. There's no choice in the matter. They're there,
6	Α	I remember she was wearing regular clothes when we were	6		so
7		first briefed. Later on in the evening, yes, she did have	7	Q	But other officers
8		a uniform on, but when we were first briefed, she was in	8	A	It's preference. Again, that officer at that particular
9		plain clothes, regular clothes.	9		moment, it's his preference.
10	Q	Did you notice her dress right after you entered the	10	Q	Based on what you observed that night, there was no reason
1,1		building?	11		for you to believe that drawing a weapon was necessary?
12	Α	I don't know where it was at that particular moment in	12	Α	At that particular moment in time, no.
13		time, no, what she was wearing.	13	Q	Were there other moments in time that evening that you
14	Q	, 11	14		thought it would be reasonable?
15		cap?	15	A	That evening, no.
16	A	No. No, I don't.	16	Q	•
17	Q	No, you don't?	17		weapons drawn at all times?
18	A.	No, I don't. I just remember she was in regular clothes,	1.8	A	Because it's the rifle, it's strapped to them.
19	,	and then she was in a uniform at a later point in time.	19	Q	What's the reason for them to be using a rifle as opposed
20	Q	Do you know of anyone that was there that night that	20		to
21		frequently wears a baseball cap?	21		Because that's their weapon of choice is a rifle.
22	_	Our uniforms are baseball caps.	22	Q	So the SRT only uses rifles?
23	Q	A uniform cap would say something like "Police" on it; is	23		No. Well, it's one of those things. Their weapon of
24 25		that right?  Yeah. Our entire unit says "Detroit Police Tactical	24		choice is an MP5. They also have a side arm, but for
		Tean. Our entire unit says Detroit Ponce Tactical	25		every incident, unless there is something that changes
		Page 55			Page 57
1		Mobile Unit" on the ball cap. It's a ball cap.	1		that set of circumstances, that is their standard weapon
2	Q	So were several people that night wearing those caps?	2		is an MP5 rifle.
_3_	_A_	Yeah, A bunch of people-were wearing baseball caps.	_3	_Q-	You-have never-seen a blind-pig-raid-where SRT-goes-in
4	Q	How were you armed that evening?	4		with weapons other than rifles?
5			5	A	No, I have not, no.
6		a Smith & Wesson .40. We switched over weapons, I can't	6	Q	Did you see anyone in SRT actually point their weapon in a
7		remember exactly what weapon I had at that time.	7		particular person's direction?
8	Q	You'll have to forgive my ignorance. Are those both	8	Α	No.
9		handgums?	9	Q	How were they holding their guns?
10	A	They're both handguns, yes.	10		MR. ASHFORD: At what point?
11	Q	Did you draw your service weapon that night?	11		THE WITNESS: Yeah.
12	A	No.	12	_	MR. KOROBKIN:
13	Q	Did you see any other officers with their service weapons	13	Q	Well, let's start when you go in. You go into the
1-4		drawn that night?-	1-4		beginning of the raid, and you see SRT has
15 16	A	SRT.	15	A	1 ,
17	Q	To your knowledge, were they the only officers with	16		they line up on the front door, and then they make entry.
18	Α	weapons drawn? That's who I recall having weapons was the SRT.	17		And they have their weapons at what's called I guess a low
19	Q	Would that be a typical scenario; only SRT has their	18	_	ready. But they stack up and go through the door.
20	-	weapons drawn, and other officers don't?	19 20	Q A	And a low ready is what? That's what it's called, low ready. They stack up on the
21		It's a preference. If an officer feels the need, the	21		door. They're ready to go. They make entry. They have
22		officer draws his weapon. If the officer doesn't feel the	22		their weapon in front of them ready to go and engaged,
23		need, the officer doesn't draw his weapon.	23		need be. That's their training. That's the way they
24	Q	Would it be fair to say that absent resistance, SRT would	24		work.
	_		25	_	And when they go in, do they announce themselves?
25		Suii naye their weadons drawn, but other orneers	4.2	0	Alki wijeji lijev oo jii, jio inev annoime roomeelvee?

16 (Pages 58 to 61)

		T	.		
		Page 58			Page 60
1	A	Yes.	1		dealing with that many people and there's not that many
2	Ç	Did you hear, on this evening, did you hear them announce	2		officers, we basically it's an amount of just keeping
3		themselves as police officers?	3		them in their place until we can deal with them, and then,
4	A	Yes.	4		when we get them up, we would pat them down. If you
5		As they do that, where are their weapons at that point?	5		thought there was an immediate threat, you would search
6		Are they in the air?	6		them. But it's kind of one of those things, as long as
7	A	They are coming through the front door.	7		they're in their place, they're not moving, not acting
8	Ç	Mm-hmm. But where are they holding their weapons? Are	8		squirrelly, we'll contend with them when we can. It's
9		they holding them down at their sides, or are they holding	9		just because it's a numbers game. You can't just keep on
10		them up?	10		contending with everybody at one time because you just
11	Α	When SRT moves, their weapons are at a low ready, so their	11		don't have the numbers to deal with everybody at one time.
12		weapons or here when they move (indicating). That's the	12	Q	So when you get to a particular person that you're going
13		best way to describe it. When they move, they bring their	13		to deal with
14		weapons up so there's no delay. If they have to engage a	14	A	They get patted down, yes.
15		target, if a threat comes, they are already here. It's a	15	Q	Do their pockets get emptied?
16		ready.	16	Α	They get patted down for offensive weapons.
17	Q	Yeah. So the weapons are up, but they're not pointed at	17	Q	Over the outside of their clothes?
18		any particular person?	18	Α	Yes.
19	_	No. No.	19	Q	You wouldn't reach your hand in their pocket?
20	Q	• •	20	A	
21	A		21	Q	
22	Q	•	22	A	8
23	A	, , , , , , , , , , , , , , , , , , , ,	23	_	thought was a weapon or something else or contraband.
24 25	Q	, and the state of	24	Q	How many people did you search that night?
<u>د.ت</u>		the CAID, anything other than "Police"?	25	Α	I know I searched the one guy I brought up. I don't
			1		· · · · · · · · · · · · · · · · · · ·
		Page 59			Page 61
1	A		1		-
1 2	A	Page 59 "Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for	1 2	0	remember searching anybody else, but I may have.
	A	"Get down on the floor. Get down on the floor. Quit		Q A	remember searching anybody else, but I may have.  Were people required to empty their pockets?
2	A	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for	2	_	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I-don't-know.
2	A	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the	2	_A	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I don't-know.
2 3 4	A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.	2 3 4	A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I-don't-know.  Were they required to hand over their keys?
2 3 4 5	· *	"Get down on the floor. Get down on the floor. Quit inoving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get down. Get down on the floor." These are general terms.	2 3 4 5	Q A	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I-don't-know.  Were they required to hand over their keys?  Yes.
2 3 4 5 6	Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger	2 3 4 5 6	Q A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  Loon't-know.  Were they required to hand over their keys?  Yes.  And identification?
2 3 4 5 6	Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"?  It's a possibility.  So you don't specifically remember that?	2 3 4 5 6	Q A Q Q A	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I don't-know.  Were they required to hand over their keys?  Yes.  And identification?  Yes.  Did you recover any weapons that night?  No.
2 3 4 5 6 7 8	Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"?  It's a possibility.	2 3 4 5 6 7	A Q A Q A	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I don't-know.  Were they required to hand over their keys?  Yes.  And identification?  Yes.  Did you recover any weapons that night?
2 3 4 5 6 7 8 9 10	Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"? It's a possibility.  So you don't specifically remember that?  I don't specifically remember that, no, but it's a possibility.	2 3 4 5 6 7 8 9 10	A Q A Q A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  Lon't-know.  Were they required to hand over their keys?  Yes,  And identification?  Yes.  Did you recover any weapons that night?  No.  Did you recover any drugs that night?  No.
2 3 4 5 6 7 8 9 10 11	Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"?  It's a possibility.  So you don't specifically remember that?  I don't specifically remember that, no, but it's a possibility.  You have heard that before?	2 3 4 5 6 7 8 9 10 11	A Q A Q A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  Lon't-know.  Were they required to hand over their keys?  Yes,  And identification?  Yes.  Did you recover any weapons that night?  No.  Did you recover any drugs that night?
2 3 4 5 6 7 8 9 10 11 12	Q A Q A	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"? It's a possibility.  So you don't specifically remember that?  I don't specifically remember that, no, but it's a possibility.  You have heard that before?  Absolutely.	2 3 4 5 6 7 8 9 10	A Q A Q A A	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I-don't-know.  Were they required to hand over their keys?  Yes.  And identification?  Yes.  Did you recover any weapons that night?  No.  Did you recover any drugs that night?  No.  Did anyone else there recover any weapons or drugs?  I don't know.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down. Get down on the floor." These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"? It's a possibility.  So you don't specifically remember that? I don't specifically remember that, no, but it's a possibility.  You have heard that before?  Absolutely.  Once people were down and secure on the ground; what was done to them at that point?  Once the entire area was secure, they started — they set up their processing unit and started processing people, taking IDs, getting names, running names, taking keys. We started bringing people from the outside, bringing them up to the table. I remember bringing one guy up. I brought him up to the table, and they started processing him.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A Q A Q A Q A Q A Q A Q A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I don't-know.  Were they required to hand over their keys?  Yes.  And identification?  Yes.  Did you recover any weapons that night?  No.  Did you recover any drugs that night?  No.  Did anyone else there recover any weapons or drugs?  I don't know.  And how long were you there in the building or outside?  Hours.  Can you estimate how many hours?  I know it was after two. I remember the sun coming up, so we were there for a while.  Was everyone gone by the time you left? I'm sorry. Were all the patrons who were there gone by the time you left?  No. There were still some people outside because they
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down.  Get down on the floor. These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"?  It's a possibility.  So you don't specifically remember that?  I don't specifically remember that, no, but it's a possibility.  You have heard that before?  Absolutely.  Once people were down and secure on the ground; what was done to them at that point?  Once the entire area was secure, they started — they set up their processing unit and started processing people, taking IDs, getting names, running names, taking keys. We started bringing people from the outside, bringing them up to the table. I remember bringing one guy up. I brought him up to the table, and they started processing him.  Were people searched?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q A Q A Q A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I don't-know.  Were they required to hand over their keys?  Yes.  And identification?  Yes.  Did you recover any weapons that night?  No.  Did you recover any drugs that night?  No.  Did anyone else there recover any weapons or drugs?  I don't know.  And how long were you there in the building or outside?  Hours.  Can you estimate how many hours?  I know it was after two. I remember the sun coming up, so we were there for a while.  Was everyone gone by the time you left? I'm sorry. Were all the patrons who were there gone by the time you left?  No. There were still some people outside because they didn't have a ride.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q	"Get down on the floor. Get down on the floor. Quit moving." All general. It's general purpose for containment and control. You tell people, "Get on the floor. Get on the floor. Get down.  Get down on the floor. These are general terms.  Do you remember if they happened to use any stronger language like, "Get the fuck down on the floor"?  It's a possibility.  So you don't specifically remember that?  I don't specifically remember that, no, but it's a possibility.  You have heard that before?  Absolutely.  Once people were down and secure on the ground; what was done to them at that point?  Once the entire area was secure, they started — they set up their processing unit and started processing people, taking IDs, getting names, running names, taking keys. We started bringing people from the outside, bringing them up to the table. I remember bringing one guy up. I brought him up to the table, and they started processing him.  Were people searched?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q A Q A Q A Q	remember searching anybody else, but I may have.  Were people required to empty their pockets?  I don't-know.  Were they required to hand over their keys?  Yes.  And identification?  Yes.  Did you recover any weapons that night?  No.  Did you recover any drugs that night?  No.  Did anyone else there recover any weapons or drugs?  I don't know.  And how long were you there in the building or outside?  Hours.  Can you estimate how many hours?  I know it was after two. I remember the sun coming up, so we were there for a while.  Was everyone gone by the time you left? I'm sorry. Were all the patrons who were there gone by the time you left?  No. There were still some people outside because they didn't have a ride.

17 (Pages 62 to 65)

		Page 62		Page 64
1		people left Strike that.	1	Q You have already said they weren't free to leave. Were
2		Tell me about the processing system.	2	they free to move about the facility in any way?
3	Α	I could tell you about my guy. I brought him from	3	A Once again, like I said before, because we didn't pat them
4		outside. I brought him in. I walked him in, brought him	4	down immediately, all of them, it was better just to keep
5		to the table. They asked him for his ID. They asked him	5	them in place; and once they were kept in place, we could
6		how did he get there. A ticket was written out. I can't	6	get them up and search them, because we couldn't deal with
7		remember if I did it. I did sign it; I remember that.	7	all the people that we had with the number of officers
8		Once they were processed, they walked - they had somebody	8	that we had. So, no, they weren't free to move around
9		take them out to their vehicle, show where the vehicle was	9	because we had to keep them in place because, as a threat,
10		at. And after that I was back outside doing back out	10	until the threat is contended with, okay, they don't have
11		in the rear of the building again.	11	any weapons or anything, all right, we'll move them on to
12	Q	So the guy you brought in, he still had his ID and keys	12	the next place.
13		with him at that time?	13	Q How long did it take to pat everyone down?
14	Α	I don't know if I can't recall if he did. I remember	14	A Hours.
15		he had his ID because we wrote him a ticket.	15	Q Would you pat someone down and then process them, or was
16	Q	How were you assigned to that particular person? Just	16	the first order of business to pat everyone down?
17		random?	17	A The people that we contended with outside, we kept them in
18	A	He was there. "Come here. Let's walk you in."	18	place. Besides them being on the ground, they were patted
19	Q	,	19	down as they were brought in. They were kept in place
20		sort of grabbed somebody and sort of brought them - not	20	until they were brought in, so whatever time that took.
21		physically grabbed them. Everyone was assigned to	21	Q Okay. The gentleman you said you saw in handcuffs, can
22		somebody and brought them in?	22	you describe him?
23	A	Kind of one of those things. They said, "Okay. We need	23	A No. I just remember a guy in handcuffs over by the wall.
24		to start processing these people from outside. Come in.	24	Q White or black? Don't remember?
25		Come on. Come with me." Walked them from outside while	25	A I don't remember.
		Page 63		Page 65
1		Page 63 somebody stayed outside with the rest of the people that	1	Page 65  MR. KOROBKIN: I'm going to ask the court
. 1 2		ū	1 2	
	_Q	somebody stayed outside with the rest of the people that were out there.	ł	MR. KOROBKIN: I'm going to ask the court
. 2	_Q	somebody stayed outside with the rest of the people that were out there.	2	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.
· 2	_Q	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would	2	MR, KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4
2 3 4	_,,_,	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were	2 3 4	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4 was marked for identification.)
2 3 4 5	_,,_,	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?	2 3 4 5	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:
2 3 4 5 6	_,,_,	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were	2 3 4 5	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4 was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is
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. 2 3 4 5 6 7 8	A Q A	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.	2 3 4 5 6 7 8	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.
. 2 3 4 5 6 7 8	A Q A	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.	2 3 4 5 6 7 8	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the
. 2 3 4 5 6 7 8 9	A Q A Q A Q	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would— it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?	2 3 4 5 6 7 8 9	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.
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2 3 4 5 6 7 8 9 10 11 12	A Q A Q A Q A	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?  I don't know.  About how many did-you see in handcuffs?  I remember at least one.	2 3 4 5 6 7 8 9 10 11 12 13 -14 15	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.  Q What's Officer Laws' first name?  A Melinda.  Q And the first person listed?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A Q A Q	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?  I don't know.  About how many did-you see in handcuffs?  I remember at least one.  That was not the guy that you brought in, though?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.  Q What's Officer Laws' first name?  A Melinda.  Q And the first person listed?  A Craig Pomaville.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A Q A Q A Q A Q	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?  I don't know.  About how many did-you see in handcuffs? — I remember at least one.  That was not the guy that you brought in, though?  No.  And you don't know why that person was in handcuffs?  No.  Was he or she separated from the group?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.  Q What's Officer Laws' first name?  A Melinda.  Q And the first person listed?  A Craig Pomaville,  Q Were all three of them at the raid?  A We were all in the cAID building or outside the building?  A I can't recall where they were at the entire time, no.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A Q A Q A Q A	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?  I don't know.  About how many did-you see in handcuffs? — I remember at least one.  That was not the guy that you brought in, though?  No.  And you don't know why that person was in handcuffs?  No.  Was he or she separated from the group?  He was leaning on the wall with handcuffs.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.  Q What's Officer Laws' first name?  A Melinda.  Q And the first person listed?  A Craig Pomaville.  Q Were all three of them at the raid?  A We were all in the car together, yes.  Q Were you all in the CAID building or outside the building?  A I can't recall where they were at the entire time, no.  Q Did they go with you to the raid?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?  I don't know.  About how many did you see in handcuffs? — I remember at least one.  That was not the guy that you brought in, though?  No.  And you don't know why that person was in handcuffs?  No.  Was he or she separated from the group?  He was leaning on the wall with handcuffs.  Do you know who handcuffed him?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.  Q What's Officer Laws' first name?  A Melinda.  Q And the first person listed?  A Craig Pomaville.  Q Were all three of them at the raid?  A We were all in the car together, yes.  Q Wete you all in the CAID building or outside the building?  A I can't recall where they were at the entire time, no.  Q Did they go with you to the raid?  A Oh, yeah, they were there.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q A Q	somebody stayed outside with the rest of the people that were out there.  During the time that that processing was going on, would it be fair to say that the people — the patrons who were there were not free to leave?  The ones that were already processed or the ones that were still in there?  The ones that were still in there.  No, they weren't free to leave, no.  Were any of them placed in handcuffs?  Yes.  Why?  I don't know.  About how many did you see in handcuffs? — I remember at least one.  That was not the guy that you brought in, though?  No.  And you don't know why that person was in handcuffs?  No.  Was he or she separated from the group?  He was leaning on the wall with handcuffs.  Do you know who handcuffed him?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. KOROBKIN: I'm going to ask the court reporter to mark this as Exhibit 4.  (WHEREUPON, Deposition Exhibit 4  was marked for identification.)  BY MR. KOROBKIN:  Q I'm handing you the same thing you already have which is an activity log.  A Okay.  Q Just for the record, can you identify this document?  A It's the run sheet for the car I was working on, and it was written by Officer Laws. I can tell by the handwriting.  Q What's Officer Laws' first name?  A Melinda.  Q And the first person listed?  A Craig Pomaville.  Q Were all three of them at the raid?  A We were all in the car together, yes.  Q Wete you all in the CAID building or outside the building?  A I can't recall where they were at the entire time, no.  Q Did they go with you to the raid?  A Oh, yeah, they were there.

18 (Pages 66 to 69)

		10 (rages	00	اسا	U 0 <del>3</del> )
		Page 66			Page 68
1	Q	Right below where it says "B. Cole."	1		log, it is also a summary. If we were to write down every
2	A	· · · · · · · · · · · · · · · · · · ·	2		moment or every second of our day, it would be thousands
3	Q		3		upon thousands of pages long, so it being a summary of the
4	À		4		activities to refresh our recollection and basically to
5		the sheet that's universal now. It's even for	5		keep track of where we were at at that particular moment
6		supervision. So there's some things on here that a police	6		in time.
7		officer would never fill out, but there's some things on	7	o	Is there anything else you wrote down about the raid that
8		here that a supervisor would fill out or vice versa, a	8	•	night other than what's written here which was not written
9		supervisor would never fill out and a police officer would	9		by you?
10		out, and it's kind of like a running tally of things you	10	Α	• •
11		did that day,	11	Q	And is that the standard practice at a blind pig raid, to
12	Q	Would it include activity at a raid?	1.2		simply rely on the activity log to refresh your
13	A	These would include whatever was yeah, the activities	13		recollection?
14		at a raid if the documentation was going back to our unit.	14	Α	It depends on the incident. It depends on the
15		Like if you wrote tickets at a raid but they are going	15		circumstances. If I had a felony arrest because I found a
16		back to vice and being processed by vice, our unit would	16		weapon, there would be a PCR along with that felony
17		never see the ticket, so they would not necessarily end up	17		arrest, and that would be documented on the run sheet.
18		on this.	18		Standard practices there are no standard practices,
19	Q	So that's why ordinance complaints doesn't have anything?	19		Everything changes. Everything is dynamic. You don't
20	A	Correct.	20		know what situation you're getting into until you're in
21	Q	And number of frisks and autos impounded?	21		it.
22	Α	Correct.	22		Like I said, some of these, I have had weapons
23	Q	That information would be recorded elsewhere?	23		and dope and had to fight with people. Other ones we walk
24	A	It would be vice's tallies, their stats. Because it's a	24		in, it's, you know, nothing, absolutely nothing.
25		vice operation, it would be their stats.	25	Q	How many times have you written a ticket for loitering in
		Page 67			Page 69
1	Q	Gotcha.	1		a place of illegal occupation?
2		On the other side of the log, I'm looking at the	2	Α	At least one for every raid, so at least a hundred.
3		entry for 12:45 a.m. to 5:15 a.m., and then the next two	_3		Okay, But you don't, as a normal practice, do any
4	7	boxes over, it says 270 over 495?	4		reporting on that for your own records?
5	Α	Correct.	5 -	Α	No. Most of the time you can refresh your recollection
6	Q	What does that mean?	6		from the ticket. You already know. A lot of these
7	Α	The bottom number is a total amount of minutes spent on	7		situations, you remember, you know, the location, the
8		the miscellaneous activities during the day. The top	8		place, the gist of the situation to testify in court.
9		number would be specifically to the run that we were on	9	Q	This raid at the CAID, did you have any reason to believe
10		for that entry. So for the total for that day, we were on	10		that it would be unusually dangerous in any way?
11		495 minutes of miscellaneous activities, but only 270 of	11	Α	It's just like every other vice raid. They tell us what
12		it is for the vice raid for the run sheet.	12		we didn't even know where we were going until they
13	Q	Thank you. And MA means miscellaneous activity?	13		briefed us. Okay? We've got an illegal blind pig. We're
14.			14-		going-to go make it. This is the situation. There's
15		Now, there's a narrative description of the raid that	15		probably going to be a lot of people there. And take your
16		begins with "Trumbull base" and ends with "control of	16		general practices and cautions and concerns because you
17		scene"?	17		don't know what's going to happen.
18	A	Yes.	18	Q	Would you describe this raid as a typical raid?
19	Q	Is that basically all you have written down about your	19	A	Like I said, every situation is different.
20		specific activity at the raid that night?	20	Q	Let me ask you about who else what other units were
21		Like I said, this was the run sheet that was written by	21		participating in this raid besides tactical mobile?
22		Officer Laws, and she has me put on her car, and I'm the	22	Α	Vice and SRT.
23			23	Q	Do you recall whether narcotics was there?
24			24	A	Not particularly, no.
				-	a. vu.
25	İ	inside with control of the scene. This being an activity	25	Q	Okay. I'll ask the court reporter to mark Exhibit 5.

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### Brandon Cole 10/18/2011

### 19 (Pages 70 to 73)

	Page 70		Page 72
1	(WHEREUPON, Deposition Exhibit 5	1	marked Exhibit 6.
2	was marked for identification.)	2	(WHEREUPON, Deposition Exhibit 6
3	BY MR. KOROBKIN:	3	was marked for identification.)
4	Q Officer Cole, do you recognize this document that I'm just	4	BY MR. KOROBKIN:
5	handing you now?	5	Q This is one of the gentlemen that we just discussed on the
6	A Yes. The same one you handed me earlier. It's the report	6	CRISNET report, correct?
7	from vice written by Sergeant Buglo that basically	7	A Correct.
8	documents all the people that were at the location and	8	Q Can you identify this exhibit?
9	what was done with them,	9	A It is a ticket for Mr. Mahler, ticket number 42364008.
10	Q Is it what's commonly referred to as a CRISNET report?	10	Q Is this your signature?
11	A Yes,	11	A Yes, that is my signature.
12	Q And this report number is .1; is that right?	12	Q As you sit here today, do you remember either Mr. Mahler
13	A Correct.	13	or issuing this ticket?
14	Q The defendants are listed in numerical order, and if you	14	A The only one I would have to sit, and I would have to
15	would take a look at 57, does line 57 indicate that you	15	look at a photo, because I remember the one guy I brought
16	issued a ticket for loitering in a place of illegal	16	in from outside that I talked to. Beyond that, I dealt
17	occupation to Joshua Wilson?	17	with a few people that night so
18	A Yep.	18	Q So as you sit here today, you can't actually recollect
19	Q Okay. So what did you observe him doing, if anything,	19	A No.
20	that authorized you to ticket him?	20	Q this person? Were photos taken that night?
21	A He was at the location that we were informed by Lieutenant	21	A No.
22	Yost was a blind pig; that they were selling alcohol	22	Q Is one of the purposes of taking photos to refresh the
23	without a license after hours and	23	recollection of officers such as yourself
24	Q By "they"	24	A Right,
25	A "They" being "they," and in his presence being there was	25	Q who process many people?
	Page 71		Page 73
1	_	1	
1 2	Page 71 him loitering in a place of illegal occupation because the place was illegal.	1 2	A Correct. And it has been three years.
	him loitering in a place of illegal occupation because the	l	
2	him loitering in a place of illegal occupation because the place was illegal.	2	<ul><li>A Correct. And it has been three years.</li><li>Q When you wrote this ticket, did you give a copy to Mr.</li></ul>
2	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?	2	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?
2 3 4	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.	2 3 4	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.
2 3 4 5	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being	2 3 4 5	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.
2 3 4 5 6	him loitering in a place of illegal occupation because the place was illegal.  Q. But you're not saying Mr. Wilson was selling alcohol?  A. No.  Q. Right? You're saying he was in a place where it was being sold?	2 3 4 5 6	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.
2 3 4 5 6 7	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.	2 3 4 5 6 7	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere
2 3 4 5 6 7 8	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?	2 3 4 5 6 7 8	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?
2 3 4 5 6 7 8	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.	2 3 4 5 6 7 8	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.
2 3 4 5 6 7 8 9	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing	2 3 4 5 6 7 8 9	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.
2 3 4 5 6 7 8 9 10	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing anything other than being present in the location?	2 3 4 5 6 7 8 9 10	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.  Q Do you happen to know what happens to the other copies of the ticket that go back to vice?
2 3 4 5 6 7 8 9 10 11	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing anything other than being present in the location?  A Correct.  Q Number 70, is that true of number 70 as well?	2 3 4 5 6 7 8 9 10 11	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.  Q Do you happen to know what happens to the other copies of the ticket that go back to vice?  A They process them. They eventually end up at the court.
2 3 4 5 6 7 8 9 10 11 12	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing anything other than being present in the location?  A Correct.  Q Number 70, is that true of number 70 as well?	2 3 4 5 6 7 8 9 10 11 12 13	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.  Q Do you happen to know what happens to the other copies of the ticket that go back to vice?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing anything other than being present in the location?  A Correct.  Q Number 70, is that true of number 70 as well?  A Yes.  Q And you issued that ticket, right?  A Correct.  Q And number 95, is that also true for number 95?	2 3 4 5 6 7 8 9 10 11 12 13 14- 15 16 17	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.  Q Do you happen to know what happens to the other copies of the ticket that go back to vice?  A They process them. They eventually end up at the court.  Q Do you-know what the process is by which they end up at the court?  A I don't know vice's process. I can tell you our process, the processes I have been in.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing anything other than being present in the location?  A Correct.  Q Number 70, is that true of number 70 as well?  A Yes.  Q And you issued that ticket, right?  A Correct.  Q And number 95, is that also true for number 95?  A Yes.  Q So you issued the ticket to Thomas Mahler for loitering in a place of illegal occupation on line 95?  A Yes.  Q And you did not observe him doing anything other than	2 3 4 5 6 7 8 9 10 11 12 13 14- 15 16 17 18 19 20 21 22	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.  Q Do you happen to know what happens to the other copies of the ticket that go back to vice?  A They process them. They eventually end up at the court.  Q Do you-know what the process is by which they end up at the court?  A I don't know vice's process. I can tell you our process, the processes I have been in.  Q Okay. Well, with the understanding that this is not the process that you went through in this particular case, yes, please, for my edification, how does the ticket get from you to the court?  A At the end of the night, the tickets are turned in. A ticket recapitulation sheet is printed up. Basically, someone goes through and takes all of the tickets, writes
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	him loitering in a place of illegal occupation because the place was illegal.  Q But you're not saying Mr. Wilson was selling alcohol?  A No.  Q Right? You're saying he was in a place where it was being sold?  A Correct.  Q Defendant 60, that would be your ticket as well, right?  A Yeah. Yep.  Q Okay. And the same is true; you didn't observe him doing anything other than being present in the location?  A Correct.  Q Number 70, is that true of number 70 as well?  A Yes.  Q And you issued that ticket, right?  A Correct.  Q And number 95, is that also true for number 95?  A Yes.  Q So you issued the ticket to Thomas Mahler for loitering in a place of illegal occupation on line 95?  A Yes.  Q And you did not observe him doing anything other than being present?	2 3 4 5 6 7 8 9 10 11 12 13 14- 15 16 17 18 19 20 21 22 23	A Correct. And it has been three years.  Q When you wrote this ticket, did you give a copy to Mr.  Mahler?  A Yes.  Q That's standard procedure, right?  A Yes.  Q Are there other copies of the ticket that go somewhere else?  A All of that stuff went back with vice. The tickets belonged to the vice unit.  Q Do you happen to know what happens to the other copies of the ticket that go back to vice?  A They process them. They eventually end up at the court.  Q Do you-know what the process is by which they end up at the court?  A I don't know vice's process. I can tell you our process, the processes I have been in.  Q Okay. Well, with the understanding that this is not the process that you went through in this particular case, yes, please, for my edification, how does the ticket get from you to the court?  A At the end of the night, the tickets are turned in. A ticket recapitulation sheet is printed up. Basically,

20 (Pages 74 to 77)

		· •	1	-	,
		Page 74			Page 76
1		signed by the supervisor on the desk. After that, it's	1	Α	It appears to be a report for towed vehicles from the
2		put in the court officer's slot. The court officer takes	2		scene, also done by Sergeant Buglo.
3		it down, all the tickets down to 36th District Court.	3	Q	
4		36th District Court turns them over to the clerk who types	4	À	
5		up every single ticket and puts it into the system.	5	Q	
6	Q	Do you happen to know if the prosecutor reviews the ticket	6	À	
7		before a notice to appear is issued to the defendant?	7	0	
8	Α	No.	8	À	
9	Q	No, you don't know, or, no, they don't?	9	Q	
10	A	No, they don't.	10	_	document
11	Q	They don't. Okay.	11	A	Okay.
12		When you issue a ticket, is it your practice to	12	Q	your name is on that line, is it not?
13		keep a copy of the ticket for yourself or within your	13	Α	
14		squad, within your unit?	14	Q	What does that mean?
15	A	On misdemeanor tickets, no, because on a civil ticket,	15	Á	All it is is the same thing that was written in the other
16		there's multiple copies. On this one, there isn't. You	16		report, that I issued him an ordinance.
17		don't have the multiple copies. The first copy has to go	17	Q	So it doesn't mean that you impounded his vehicle?
18		back to the court. The second copy on the back of the	18	A	No.
19		copy goes to ident. The one in between, which is a paper	19	Q	But it does mean his vehicle was impounded?
20		copy, goes to the defendant.	20	Α	Yes.
21		What's ident?	21	Q	Is there any record made of who impounded that vehicle?
22	A	Records, record keeping, records and stats.	22	Α	I don't know.
23	Q	·	23	Q	Is there generally a record made at blind pig raids of
24		department?	24		which officer impounds the vehicle?
25	Α	Correct.	25	4	Thomas a tour and
			25	Α	There's a tow card.
		Page 75	25	Α	
	0	Page 75			Page 77
.1.2	Q	Page 75	1 .	Q	Page 77 What is a tow card?
. 1	Q A	Page 75 As far as you know, did they get a copy of every single misdemeanor ticket that's issued?	1 2	Q A	Page 77 What is a tow card? A card when any time a car is towed, it's filled out.
. 1	A	Page 75  As far as you know, did they get a copy of every single	1 2 3	Q A Q	Page 77  What is a tow card?  A card when any time a car is towed, it's filled out.  Is a copy given to the person who the car is taken from?
. 1 . 2 . 3	A	Page 75 As far as you know, did they get a copy of every single misdemeanor ticket that's issued?  They get a copy of every ticket that's issued by the department.	1 2 3 4	Q A Q A	Page 77  What is a tow card?  A card when any time a car is towed, it's filled out.  Is a copy given to the person who the car is taken from?  No. A copy is given to the tow truck driver, and a copy
1 2 3	<u>A</u>	Page 75 As far as you know, did they get a copy of every single misdemeanor ticket that's issued?  They get a copy of every ticket that's issued by the department.	1 2 3	Q A Q A	Page 77  What is a tow card? A card when any time a car is towed, it's filled out.  Is a copy given to the person who the car is taken from?  No. A copy is given to the tow truck driver, and a copy goes to the unit.
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1 2 3 4 5 6	Q A Q	Page 75 As far as you know, did they get a copy of every single misdemeanor ticket that's issued?  They get a copy of every ticket that's issued by the department.  Do you have any idea how long they keep those copies?  No.	1 2 3 4 5 6 7	Q A Q A Q A	Page 77  What is a tow card?  A card when — any time a car is towed, it's filled out.  Is a copy given to the person who the ear is taken from?  No. A copy is given to the tow truck driver, and a copy goes to the unit.  In this case, it would be the vice squad unit?
.1 .2 .3 .4 .5 .6 .7 .8	Q A Q	Page 75 As far as you know, did they get a copy of every single misdemeanor ticket that's issued? They get a copy of every ticket that's issued by the department. Do you have any idea how long they keep those copies? No. If there had been a criminal trial on Mr. Mahler's ordinance charge, would you be the officer to testify as	1 2 3 4 5 6 7	Q A Q A Q A	Page 77  What is a tow card?  A card when any time a car is towed, it's filled out.  Is a copy given to the person who the car is taken from?  No. A copy is given to the tow truck driver, and a copy goes to the unit.  In this case, it would be the vice squad unit?  Correct.  But based on your recollection, you didn't actually fill
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### 21 (Pages 78 to 81)

	ZI (Page	ន ូវឱ	•	<b> ,</b>
	Page 7	8		Page 80
1	vehicle that night?	1		<del>-</del>
2	A A whole bunch of cars were impounded that night.	2		A Yes,
3	Q And on what basis were those vehicles impounded?	3	•	Q So did Mr. Passmore then ask Mr. Mahler, "Did you drive here?"
4	A Nuisance abatement.	4		
5	Q And was that simply because the vehicles were there at the	5		A I didn't get — wasn't there that long.
6	scene?	ì		Q By that time you were gone?
7	A Because the people had driven the vehicles there.	6		A Yes.
8	Q Not based on evidence that the vehicles were transporting	7	,	2 Is it your practice to sign one of these forms when you
9	alcohol or used in any other illegal way?	8		hand them out?
10	A They were No.	9	_	A Yes,
11		10		Okay. Any idea why this one isn't signed?
12	t be a managed and you offing a our ancie,	11		No clue,
13	you're subject to your car being towed?  A Yes.	12	Ç	Who was doing most of the impounding of vehicles that
1.3		13		night, if you know?
	MR. KOROBKIN: Moving along, I'll ask the	14		I don't know,
15	reporter to mark Exhibit 8.	15	Q	Was anyone outside of the vice squad authorizing the
16	(WHEREUPON, Deposition Exhibit 8	16		impoundment of vehicles?
17	was marked for identification.)	17	A	Authorizing or doing? What do you mean by that question?
18	BY MR. KOROBKIN:	18	Q	Well, in this form, it says "Confiscating Officer: Jimmy
19	Q Can you identify this document?	19		Passmore." Does that mean that Officer Passmore impounded
20	A Yeah. It's a nuisance abatement impoundment form.	20		the vehicle?
21	Q Have you ever issued one of these?	21	A	I would say so, if he's the one that signed off on the
22	A Yes.	22		forfeiture form.
23	Q Did you issue any on the night of the CAID raid?	23	Q	What does that entail? Simply filling out a card and
24	A No.	24		giving it to the tow operator?
25	Q Now, if you look somewhat in the middle of the page and to	25	Α	Pretty much, yes,
	Page 70			
7	Page 79			Page 81
1	the right, there's the name Thomas Mahler. Do you see	1	Q	And when you fill out one of those cards, you put your .
2	the right, there's the name Thomas Mahler. Do you see that?	1 2	`	And when you fill out one of those cards, you put your name as the officer who is doing the impoundment?
2 3	the right, there's the name Thomas Mahler. Do you see that?  A Yes.	1 2	A	And when you fill out one of those cards, you put your name as the officer who is doing the impoundment?  Yes.
2 3 4	the right, there's the name Thomas Mahler. Do you see that?  A Yes.  Q Do you recognize that individual as being one of the	1 2 3 4	A	And when you fill out one of those cards, you put your name as the officer who is doing the impoundment?  Yes.  Do you know whether officers outside the vice squad were
2 3 4 5	the right, there's the name Thomas Mahler. Do you see that?  A Yes.  Q Do you recognize that individual as being one of the people you ticketed that night?	1 2 3 4 5	A	And when you fill out one of those cards, you put your name as the officer who is doing the impoundment?  Yes.  Do you know whether officers outside the vice squad were filling out those cards that night?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the right, there's the name Thomas Mahler. Do you see that?  A Yes.  Q Do you recognize that individual as being one of the people you ticketed that night?  A Yes.  Q Now, this form indicates that his car was impounded; is that correct?  A His car, yeah, was impounded. This was his notice. This is what was given to him.  Q To him?  A Correct.  Q This is different from the impoundment card—  A Correct.  Q - which would not have been given to him?  A No.  Q In the top box, there's a line that says "Confiscating Officer: Jimmy Passmore"?  A Okay.  Q Do you know Officer Passmore?  A He works at vice.  Q He was present that night?  A Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q A Q A	And when you fill out one of those cards, you put your name as the officer who is doing the impoundment?  Yes.  Do you know whether officers outside the vice squad were filling out those cards that night?  I don't know.  Don't know. Okay.  What happens to these notices? Are there several copies of these notices made?  One is given to the person. One usually goes with the car if it's on evidence. One goes to forfeiture.  Forfeiture unit of the Detroit Police Department?  Correct.  What happens after they get to forfeiture?  I don't know.  Does an officer keep a copy of the nuisance abatement form?  I don't know.  Well, when you have filled them out in the past, have you kept a copy, or have you kept a copy within the unit?  No.  Is it a triplicate?

22 (Pages 82 to 85)

		· •	1		/
		Page 83	2		Page 84
1	(	So you have to individually make three?	1	(	So if they didn't, in fact, know that it was a blind pig,
2	A	Unless you print it up on the computer, and then you just	2		they would still be guilty of loitering in a place of
- 3		print three copies out.	3		illegal occupation?
4	(	Which is different from the ticket?	4	I	Yes,
5	A	A Correct.	5	(	And they would still be guilty of contributing to a
6	(	Which actually is a triplicate?	6		nuisance with their car?
7	A	Topy, contour	7	A	A Yes.
8	Ç	If I have asked you this, I apologize, but how many	8	Ç	Do you know, is the car the nuisance?
9		officers were at the CAID raid that night?	9	Þ	
1.0	A	Over fifty.	10	Ç	
11	Ç	And just to be precise, do you mean about fifty?	11	A	Because you have an area that's in a residential zone, and
12	A	No. Over fifty,	12		you have a hundred and fifty cars, two hundred cars, five
13	Ç	Fewer than a hundred?	13		hundred cars parked out in the middle of the street where
1.4	Α	Yes, I would say.	14		you wouldn't normally have that amount of traffic or
15	Q	Can you narrow it down even more?	15		people. It's still this is in an area that's
16	A		16		residential. You condense an extra hundred cars into a
17	Q	Between fifty and a hundred?	17		one-block area because everybody wants to walk to get in,
1.8	A		18		and they don't want to walk block upon block to get in
19	Q		19		there, so they are parking on the curb, parking on the
20	A		20		sidewalks, parking in the street, parking all over the
21	Q		21		place, it becomes part of the nuisance. The more people
22	A		22		you have, the more even bigger of a nuisance. We had a
23	Q	First to do to get their our buck	23		raid that was that I can remember that was there was
24		after it's been seized in a blind pig raid?	24		five hundred cars all over. It becomes part of the
25	A	Deal with forfeiture.	25		nuisance.
		Page 83			Page 85
1	Q	And what do they have to do with forfeiture?	1	Q	
2	A		2	~	raid, it's not part of the nuisance; is that right?
3		call forfeiture. That's my extent of what they have to do	3_	A	If they own it but don't drive it? No. Because it had to
4	·	to get it back.	4		get there somehow.
5	Q	So you don't know, once they call forfeiture, what the	5	0	
6		process is?	6	Ā	
7	Α	No.	7	0	Yeah.
8	Q	Do you know if they usually have to pay to get it back?	8	À	What do you mean? If somebody got dropped off, and they
9	Α	I don't know.	9		own a car in the driveway of their own home?
10	Q	You don't know. Would you agree that at this night that	10	Q	Yes.
11		you were doing this, at the night of the raid, it was the	11	A	No, that's not part of the nuisance.
12		standard operating procedure of the City of Detroit Police	12	Q	So you couldn't take it?
13		Department, when raiding a blind pig, to ticket everyone	13	A	If they got dropped off there, and they have a car parked
14	٠	there for loitering in a place of illegal occupation and-	14		so if-I No:
15		to confiscate the cars that they drove there?	15	Q	How close or how far would it have to be to or from the
16	Α	If that's what we do when we get the complaint for the	16		raid location in order for it to be part of the nuisance?
17		blind pig and we hit it is to write tickets and tow cars	17	A	If you had somebody that lived around the corner, I
18		and people go to jail? Yes.	18		wouldn't suspect and their car was parked in their
19	Q	That's the standard?	19		driveway, I wouldn't suspect that we would tow that car.
20	A	That's the standard.	20		I didn't tow that car. I wouldn't tow that car. But if
21	Q	You don't ask people, "Did you know this was a blind pig"?	21		he's there, and his car is parked within the vicinity
22	A	Lack of knowledge of the law is not a defense.	22		along with all the other vehicles, I would consider that
23	Q	So the answer is, just to be clear, the answer is, no, you	23		contributing to the nuisance.
24		don't ask them that?	24	Q	I guess I'm trying to get a sense of how far it would have
25	A	No.	25		to be.

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### Brandon Cole 10/18/2011

### 23 (Pages 86 to 89)

		Page 86			Page 88
-		_		_	
1	P	Oh, you're talking like miles? No, we're not going to go	1	Ç	
2		miles for this thing. If somebody got dropped off and	2		on the second page?
4		their car is parked in a parking structure at Wayne State, we're not going after that, no. This is within the	3	P	A It appears to be a second vice raid off of 45 Grand River.
5			4		I remember the address. I may have even participated in
. 6	Ç	vicinity of the area that we're there for.  It's the car's physical presence there as opposed to the	5	_	this one. Back from February 23rd, 2008.
7	`	fact that it transported the person there?	6	Ç	* *************************************
8	A		7	A	
9	Ç		8	Ç	
10	A		10		in the middle of the page, it indicates that vice, SRT, tactical mobile, and Central District executed a search
11	•	of the nuisance and the fact that they used it to	11		warrant?
12		transport themselves there.	12	Α	
13	Q		13	O	
1.4	À		14	~	Apartment?
15	Q		15	A	
1.6	A		16	Q	
17	Q		17	Ā	
18	A	•	18		complaints over several weekends. In fact, it had been
19	Q	impoundment; is that correct?	19		shut down once previously. They had underage girls
20	A	Not to my knowledge, no.	20		stripping, selling alcohol, all types of problems,
21	Q	Okay. Because you're not part of the vice squad, you	21		shootings right outside of it. Yeah, this was a real
22		don't keep a tally of how many cars you impound at a raid;	22		problem issue. Like I said, it's right around the corner.
23		is that correct?	23		It was Downtown Detroit. All the patrons from the clubs,
24	A	No.	24		after they would after the clubs would shut down, they
25	Q	You mentioned that Lieutenant Yost was the commander of	25		would be up and running and, yeah, just a bad group of
		Page 87	<del>                                     </del>		Page 89
1		Page 87			Page 89
1		the raid. Was she also the officer in charge of	1		guys.
2	Α	the raid. Was she also the officer in charge of impounding vehicles?	2	Q	guys.  What you just described is the complaints that you had
2 3	A	the raid. Was she also the officer in charge of impounding vehicles?  In essence, yes, because she's in charge of everything, so	2		guys.  What you just described is the complaints that you had received; is that correct?
2 3	:	the raid. Was she also the officer in charge of impounding vehicles?  In essence, yes, because she's in charge of everything, so yes.	2 3 4		guys.  What you just described is the complaints that you had received; is that correct?  That's what I remember. No. You asked me what I remember
2 3 4 5	A Q	the raid. Was she also the officer in charge of impounding vehicles?  In essence, yes, because she's in charge of everything, so yes.  So if a question came up about the propriety of towing a	2 3 4 5		guys.  What you just described is the complaints that you had received; is that correct?  That's what I remember. No. You asked me what I remember about this place. That was the whole gist of it, but we
2 3	:	the raid. Was she also the officer in charge of impounding vehicles?  In essence, yes, because she's in charge of everything, so yes.  So if a question came up about the propriety of towing a specific vehicle, that question would be resolved	2 3 4 5		guys.  What you just described is the complaints that you had received; is that correct?  That's what I remember. No. You asked me what I remember about this place. That was the whole gist of it, but we dealt with them several times before because tac mobile
2 3 4 5 6	:	the raid. Was she also the officer in charge of impounding vehicles?  In essence, yes, because she's in charge of everything, so yes.  So if a question came up about the propriety of towing a specific vehicle, that question would be resolved ultimately on the scene by Lieutenant Yost?	2 3 4 5 6		guys.  What you just described is the complaints that you had received; is that correct?  That's what I remember. No. You asked me what I remember about this place. That was the whole gist of it, but we dealt with them several times before because tac mobile works the weekends down working in the club areas, and
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### Brandon Cole 10/18/2011

24 (Pages 90 to 93)

			1	·
		Page 90	1	Page 92
1		occupation to Romell Deshawn White?	1	of illegal occupation/impound your vehicle?
2	A	-	2	MR. ASHFORD: Objection to the form: Go ahead.
3	Q	And he was issued that ticket because he was present,	3	THE WITNESS: Within guidelines, within the
4		correct?	4	area, but we already went through this. If he parked at
5	Α	Correct. It was like 3:00 in the morning when we ended up	5	his house at home, and he lives in Roseville, we're not
6		going in, so, yeah, he was way even if it was a legal	6	driving all the way out to Roseville to get it. It's
7		establishment, bar time is 2:00 here. Ignorance of the	7	within the cusp of the area. And those set guidelines,
8		law is no excuse. But you being there after 3:00, that	8	that was up to Lieutenant Yost, but within a block, within
9		was the reason why he got a ticket.	9	half a block, parked out front, yeah. If you're talking
10	o	And there's no other reason that you know of for him	10	miles, no.
11	`	having received this ticket; is that correct?	11	BY MR. KOROBKIN:
12	Α	-	12	* **
13		Now, if you look at I'm sorry line 101, which is on	13	
14	~	page 6, the defendant's name is Zues Patterson.	14	CAID and it didn't belong to anybody who was inside, would you take that car, too?
15	A	Okay.	15	A No.
16		You were not involved in that, but it does say "engage in	16	
17	~	a place of illegal occupation"?		Q And if you know, why not?
18	Δ	Correct.	17	A Because there wasn't a body to go with the car, and it
19		Do you know what the difference between engage and loiter	18	could have been there way before the incident even
20	Q	is?	19	started.
21	Δ	He's one of the ones running it. He's either the bouncer,	20	Q You'll be happy to know this is the last Exhibit I could
22	71	the DJ, collecting the money, the one bringing the girls	21	possibly give you because I'm out of exhibits.
23		in, something. He has more to do than just being there.	22	A That's good to know.
24	Ω	Did you seize any vehicles that night?	23	MR. KOROBKIN: Can I have the court reporter
25		I didn't seize any vehicles, no.	24	mark this as Exhibit 10?
	-A	1 didn't seize auf veincles, no.	25	(WHEREUPON, Deposition Exhibit 10
		Page 91		Page 93
1	Q	Do you know if vehicles were seized during that raid?	1	was marked for identification.)
2	A	I'm not sure if they were or not.	2	BY MR. KOROBKIN:
3	Q	Can you think of any reason why they wouldn't be seized at	3	Q I'm handing you what has been marked as Exhibit 10, and,
4		that raid, but they would be seized at the CAID?	4	again, I'd like you to turn to the second page of the
5	A		5	exhibit which is marked page 1, and tell me if you can
6		structures down here. There's places for them to be other	6	identify it.
7		than right out in front of the location. They may have	7	A Yet another vice raid. 0710200106 at the Spoon Room, and
8		been in an adjoining lot or in one of the structures all	8	I think I was at this one, too.
9		the way around here that are open. You can park, and we	9	Q Do you remember the Spoon Room?
10		wouldn't have access to it. It wouldn't have been like	10	A I remember the name. Yes, I was here.
11		they were blocking the street or anything like that.	11	Q Does looking at this document help refresh your
12	Q	When you got to the CAID for the raid at the CAID on May	12	recollection about what was going on that night?
13		31st, did you have an opportunity to see where cars were	13	A I remember the Spoon Room. I remember it was on Schaefer.
1.4		parked outside the building?	14	I think this was another one where complaints of all hours
15	A	I remember a lot of cars being there.	15	of the night, narcotic activity issues. You're pushing my
16	Q	Were some cars parked in a legal parking spot on the	16	brain to go back four years, but I remember being here. I
17		street?	17	can vaguely tell you something about it,
18	A	Possibly.	18	Q Okay. These lines aren't numbered, but if you look at
19	Q	Were some cars parked in an empty parking lot?	19	page 2, defendants 7 and 8 down on the bottom, do you see
20	Á	Possibly.	20	your name associated with those tickets?
21	Q	If those cars belonged to someone who was ticketed for	21	A Yep.
22		loitering in a place of illegal occupation, those cars	22	Q So did you issue a ticket to LaToyia Monet Murray for
23		were impounded?	23	loiter in a place of illegal occupation?
24	Α	I would say so, yes.	24	A Yes.
25	Q	It was essentially they went together, loiter in a place	25	Q And that was because she was present, correct?

25 (Pages 94 to 97)

		Page 94		Page 96
1	F		1	Q I mean, theoretically, if you were in Applebee's and their
2	Ç	And no other reason that you know of?	2	liquor license had expired
3	A	***************************************	3	A Theoretically, if you were in Ford Field, and their
4	Ç	The same with Timothy Cornelius Stoutermire?	4	license expired with Lions fans and the City of Detroit
5	A		5	decided to shut it down, every single one of them would
6	Ç	· · · · · · · · · · · · · · · · · · ·	6	have gotten a ticket.
7	Α	y y j y o unit was another one	7	Q And the ticket inexorably automatically leads to a notice
8	_	that was in a neighborhood.	8	to appear in court?
9.	Ç	the pages that you get to	9	A The court sets the date, yes.
10		something that's also marked page 1, but it's report .3.	10	Q And then, once you're in court, you can present
11.	Α	- S P	11	whatever
12	_	were seized, alcohol, marijuana.	12	A - defense, exactly. And that's up to the trier of truth
13	Q	The was	1.3	and the judge to dismiss it or hear it. I have had cases
14		ticketed for loitering in a place of illegal occupation?	14	dismissed from telling you exactly what I told you. I
15	A	I would have to go back and forth, but or they were the	15	have had judges find the person guilty for telling you
16 17	^	engagers not the engagers, the people running it.	16	exactly what I told you. It's up to the judge that goes
	Q	, and the state of the fall,	17	in front of which person he goes in front of.
18 19		May 31st, what was the illegal occupation?	18	Q But if the person gets the ticket, they do have to go to
20	A	die die die die die die die die die die	19	court?
21		have a liquor license, and they sold it to two of our UCs, undercover.	20	A Yes, because it's a misdemeanor. They can't pay it off.
22	Q		21	They have to have a court date.
23	-	No liquor license. This is what I was informed of. They	22	MR. KOROBKIN: Great. Thank you, Officer Cole.
24	<i>1</i> <b>k</b>	had no liquor license, and they were even way past over	23	Jerry?
25		the time, and we were going in there and enforce the law.	24	MR. ASHFORD: I have no questions.
		and time, and we were going in there and enforce me law.	25	
				(Deposition concluded at 4:30 p.m.)
		Page 95		Page 97
1	Q	Page 95 At the CAID raid, do you know if there was anyone present		
2		Page 95  At the CAID raid, do you know if there was anyone present at the CAID who was not charged with a criminal offense?	1 2 3	Page 97 STATE OF MICHIGAN)
2 3	A	Page 95  At the CAID raid, do you know if there was anyone present at the CAID who was not charged with a criminal offense?  I don't know.	1. 2 3	Page 97
2 3 4	A	Page 95  At the CAID raid, do you know if there was anyone present at the CAID who was not charged with a criminal offense? I don't know.  Is it your understanding that everyone there was?	1 2 3	Page 97  STATE OF MICHIGAN) ) ss. COUNTY OF OAKLAND)
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# EXHIBIT 21

## DETROIT POLICE DEPARTMENT FOLLOW-UP Pg 2 of 5 Pg ID 2096

REPORT

DETROIT POLICE DEPARTMENT

Reporting Officer

Assisted By

Assist Agency

231996 - BUGLO, DANIEL

Case No. 0805310096 Report No. 0805310096.3

Report Date: 6/2/2008

Page 1 of 4

Subject: IMPOUND VEHICLES

A - APPROVED

82 - WAYNE

99 - DETROIT

5/31/2008 2:20:00 AM

Case Report Status

City/Township

Occurred On (and Between) Location

CSZ

Census/Geo Code Grid

Call Source

Cross Street Means Other Means Motive Other Motives

Vehicle Activity Vehicle Traveling

5150

C2 - 0102 OTHER

5141 ROSA PARKS BLVD.

Date Entered Entered By Date Verifled Verified By

Date Approved Approved By Connecting Cases

Disposition Tactical Actions Clearance Reason Date of Clearance

Reporting Agency Division Notified

6/2/2008 8:52:21 PM

230853 - SMITH, RAYMOND 6/2/2008 8:56:22 PM 231996 - BUGLO, DANIEL

7/2/2008 6:14:12 AM 210608 - JONES, DAVID

**ACTIVE** 

DETROIT POLICE DEPARTMENT

VICE SECTION

Report Narrative

ON THE ABOVE DATE AND TIME, VICE ENFORCEMENT, NARCOTICS CODE 3025 AND 2913 AND TACTICAL MOBILE, DISTRICT EXECUTED A SEARCH WARRANT NUMBER 08001827 ON 5141 ROSA PARKS BLVD AND THE BELOW LISTED VEHICLES WERE IMPOUNDED UNDER NUISANCE ABATEMENT: TOW LOT USED WERE AC TOWING, B&T TOWING, GENE'S TOWING, AND B&G TOWING

VEU40: ENGAGER, DOORMAN: JOSEPH TIMLIN, W/M/24, 12/14/83 OF 1139 SAINT AUBIN, HAMTRAMCK, MI. ISS ORD U42346408 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY LT. V. YOST.

2001 SATURN SILVER BGW5977 08/MI VIN 1G8JU52F01Y562176 AC TOWING

VEU41: ENGAGER, DOORMAN: CHRISTOPHER KANE SHOEMAKER, W/M/29, 6/17/78 OF 472 KIMBERLY APT. 101 LAKE ORION-MI-ISS ORD: U42346208-FOR-"ENGAGE-IN-ILLEGAL-OGGUPATION"-BY LT. YOST. 1998 FORD SW PRH3813 08/MI 1FMZU35P6WUD23503 TOW BY

VEU42: ENGAGER, HOUSEMAN: BRANDON LOUIS WALLEY, W/M/32, 10/16/75 OF 27 E, WILLIS APT. 18, DETROIT, MI. ISS ORD U42346108 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO. VEHICLE: 1997 SUBARU BLUE 4/D PLATE# 1JLE71 08/MI VIN# 4S3BK4354V7316677AC TOWING

VEU43: STEVEN BRIAN KEYCIA, W/M/20, 7/28/88 OF 51490 S. ADELLE, NEW BALTIMORD, MI. ISS ORD U42343008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. CARSON. VEHICLE: 1991 BUICK PARK AVE MAROON 4/D PLATE# BLB5867 VIN# 1G4CU53LXM1648820 AC TOWING

VEU44: CANDICE ELISABETH BRANDELIK, W/F/18, 12/13/89 OF 15650 ASPEN DRIVE, MACOMB TWP., MI. ISS ORD U42342808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER. VEH: 1998\_FORD EXPLORER RED PLAT BVH5841 VIN 1FMZU35P8WWA53738 TOW BY

VEU45: BRITTANY ELIZABETH DALLAS, B/F/19, 3/2/89 OF 17704 TOEPFER, EASTPOINTE, MI. ISS ORD U42343708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE, VEHICLE: 1998 CHEVY 4/D RED PLATE# BNM1218 08/MI VIN#1G1JC5247W7156103 AC TOWING

VEU46: DARLENE CELESTE HELLENBERG, W/F/25, 12/1/82 OF 203 COLLEGE ST. FERNDALE, MI. ISS ORD U42343508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON. 1999 CHEVY CAVILER WHITE PTU4870 O8/MI 1G1GF52T5X7161994 TOW BY AC TOWING

VEU47: RYAN PAUL GATES, W/M/21, 9/11/86 OF 7033 N. BLAIR AVE. ROYAL OAK, MI. ISS ORD U42367508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS. VEH: 1994 SABB 900S GRAY 4/D PLATE 74DBB 08/MI VIN YSD3M58BR204397 AC TOWING

VEU48: JOY ALICIA WELLS, B/F/20, 12/01/87 OF 29224 LANCASTER DR. #208, SOUTHFIELD, MI. ISS ORD U42343108 FOR "LOITER IN A PLACEOF ILLEGAL OCCUPATION" BY PO T. GRAY. 1986 VOLVO TAN COLOR PLATE BAN3366 08/MI YV1AX884XG1209346 TOW BY AC TOWING

VEU49: JACQUE SUTTON, W/M/21, 5/22/87 OF 170 MOROSS ST. MOUNT CLEMONS, MI. ISS ORD U42367708 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. A. POTTS.

> Printed For: Printed: July 20, 2009 - 2:45 PM

## DETROIT POLICE DEPARTMENT FOLLOW-UP 12 Pg 3 of 5 Pg 1D 2097

REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.3

Report Date: 6/2/2008

2

Page 2 of 4

VEHICLE: 1989 FORD MUSTANG RED 2/D PLTE# 1FLM26 08/MI VIN# 1FABP42E8KF286013 HELD AT AC TOWING

VEU50: ANTHONY JOSEPH PRATT, W/M/20, 12/12/87 OF 2679 BACON AVE. BERKLEY, MI. ISS ORD U42368908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAWS.

VEH: 1990 PLYM WHITE 4/D PLATE 5ATD40 08/MI 1P3XA439LF710505 B&T TOWING

VEU51: AUSTIN JONES, W/M/20, 7/5/87 OF 6682 SWARTOUT RD. ALGONAC, MI. ISS ORD U42368808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. CARSON.
2003 FORD FOUCS SILVER BLX3266 08/MI VIN 1FAFP33P03W280719 TOW BY GENES

VEU52: MARIAN LOUISE SCHMIDT, W/F/19, 1/31/89 OF 641 UNIVERSITY PLACE, GROSSE PTE., MI. ISS ORD U42368408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO C. COLEMAN. VEHICLE: 2004 GREEN VW JETTA 4/D PLATE# UJZ72 08/MI VIN#3VWSR69M44M077025 HELD AT AC TOWING

VEU53: TABITHA TABY, WIF/21, 10/24/86, OF 2217 SALMON ST. MANCHESTER, NH. ISS ORD U42367208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. NEWTON.
1997 TOY CAMERY 4/D VIN#4T1BF22K5VU029538 TOW BY B&T TOWING

VEU54: JENNA MARIE RINKE, B/F/18, 4/21/89 OF 37875 HOBARTH RD. CHESTERFIELD TWP. ISS ORD U42345608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

VEH: 2001 PLYM NEON RED 9GLL07 08/MI 1P3ES46C15D276466 AC TOWING

VEU55: NICOLE PEDLEY, W/F/20, 5/24/88 OF 20914 HAYES, TAYLOR, MI. ISS ORD U42344908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.
1998 FORD EXCORT RED 4/D 2GNH54 08/MI VIN# 3FAKP1134WR246454 AC TOWING

VEU56: BURI AHMED KHAN, W/M, 5/13/84 OF 1913 E. LINCOLN AVE. ROYAL OAK, MI. ISS ORD U42361008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

VEHICLE: 2000 SATURN BLACK PLATE BPX5916 08/MI VIN# 1G8ZK527XYZ264059 HELD AT AC TOWING

VEU57: BRIAN JAMES ROZMAN, W/M/35, 11/27/72 OF 1837 BEECHMONT, DEEGO HARBOR, MI. ISS ORD U42361308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

VEH; 2007 HONDA ACCORD SILVER 4/D PLC4497 08/MI 1HGCM56867A140829 TOW BY AC TOWING

VEU58: MICHAEL WAYNE MALOSEVICH, WIM, 6/18/86 OF 436 W. DRAYTON, FERNDALE, MI. ISS ORD U4/1092/108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO B. COLE.

VEHICLE: 2006 PONT G6 RED PLATE# BHZ9823 08/MI VIN# 1G2ZG558064217374 HELD AT B&T TOWING

VEU59: MATTHEW STEVEN SMITH, W/M/22, 12/12/85 OF 15438 LEONA DR. REDFORD, MI. ISS ORD U42361208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE.

VEHICLE: 2007 FORD FOCUS 4/D BLACK PLATE# BFD1290 08/MI VIN# 1FAHP34N57W246609 HELD AT ACTOWING

VEU60: NATHANIEL PRICE, W/M, 9/6/87 OF 604 W. LEWISTON AVE. FERNDALE, MI. ISS ORD U42363208 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. A. POTTS.

VEHICLE: 1996 BLUE CHEVY PLATE BQV9567 08/MI VIN# 1G1LD55M7TY125439 HELD AT B&T TOWING

VEU61: JAGOB-TIMLIN, W/M, 9/18/72 OF-27111 PARK CT. MADISON HGTS., MI. ISS ORD U41094108 FQR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. COBB-SANDERS.

VEHICLE: 1991 HONDA GRAY 4/D PLATE# BWX6668 08/MI VIN# 2HGED6457MH591076 HELD AT GENES TOWING

VEU62: JASON ANTHONY LEVERETTE-SAUNDERS, W/M, 6/11/83 OF 16232 NORMANDY ST. DETROIT, MI. ISS ORD U41092808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO T. GRAY.

2005 BLUE CHRYSLER PACIFICA PLATE# 1HCY86 08/MI VIN#2C4GM68405R671517 GENES TOWING

VEU63: DANIEL BRANCHEAU, W/M/24, 1/30/84, OF 9615 BLAXY ST. TAYLOR, MI. ISS ORD U42365308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. SINGLETON.

VEHICLE: 2004 FORD FOCUS 4/D 08/MI PLATE BPQ7714 VIN#1FAFP38Z04W148457 B&G TOWING

VEU64: THOMAS MAHLER, W/M, 9/2/87 OF 741 W. LEWISTON AVE., FERNDALE, MI. ISS ORD U42364008 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO B. COLE.

VEH: 1995 GEO 4/D BLK PLATE BDT5886 08/MI VIN# 1Y1SK5263SZ062164 TOW BY AC TOWING

VEU65: IAN MOBLEY, W/M, 11/6/87 OF 18157 MULBERRY ST. RIVERVIEW, MI. ISS ORD U42367608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. A. POTTS.

2004 HONDA BLACK 4/D PLATE 0HCT51 08/MI 5J6YH28554L001540 TOW BY B&T TOWING

## DETROIT POLICE DEPARTMENT FOLLOW-UP 12 Pg 4 of 5 Pg ID 2098

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.3 Report Date: 6/2/2008

REPORT

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VEU66: JASON WYSOCKI, W/M, 8/24/87 OF 21669 OVERLAND CT. MACOMB TWP., MI. ISS ORD U42363808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. G. MCWHORTER.

VEHICLE: 2002 FORD FOCUS GREEN PLATE# BFD3062 08/MI VIN# 3FAFP31342R114303 HELD AT B&T TOWING

VEU67: MICHAEL THOMAS ROZMAN, W/M, 10/30/71 OF 1837 BEECHMONT ST. KEEGO HARBOR, MI. ISS ORD U42343908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO.

VEH: 2000 OLDS MAROON PLAT PLC0275 08/MI VIN 1GN3F12XYC421463 TOW BY AC TOWING

VEU68:: BRUCE RUSSELL NICHOLS, JR., W/M/22, 10/30/85 OF 30 N. EDGEWOOD DR. GROSSE POINTE, MI. ISS ORD U42360308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

1999 DODGE 4/D PLATE# BVP8717 08/MI VIN# 2B3HD56J5XH823552 TOW BY B&T

VEU69: JOEL DANIEL AXNER, W/M/26, 3/16/82 OF 1808 MEADOW WOOD, YPSILANTI, MI. ISS ORD U42340608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO S. JOHNSON.

VEH: 1995 TOY RED PLATE BKA3282 VIN# 4T1GK12E9SU086570 AC TOWING

VEU70: STEFANIE MARIE BOCKENSTELLT, W/F/20, 8/7/87 OF 23225 LAKEWOOD ST. CLINTON TWP., MI. ISS ORD U42340108 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

VEHICLE: 1997 GMC TK PLATE 2GBU66 08/MI VIN# 1GTCT19W2VK5011713 B&G TOWING

VEU71: ANGELA SEXTON, W/F, 7/24/87 OF 1348 FIELDING, FERNDALE, MI. ISS ORD U42341508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO G. JOHNSON.

VEHICLE: 2004 SATURN 4/D PLATE# BPJ2501 08/MI VIN# 1G8JD54R24Y500421 B&G TOWING

VEU72: DERRICK WALKER, W/M, 9/18/85 OF 321 E. 11 MILE RD. 205, ROYAL OAK, MI. ISS ORD U42367408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAW.

VEH: 1991 CADI 2/D PLATE BFB0960 08/MI VIN# 1G6EL13B7MU614481 B&T TOWING

VEUT3: ANGIE WONG, W/F/22, 2/2/86, OF 20307 SUNNYSIDE ST. ST. CLAIR SHORES, MI. ISS ORD U42345908 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER.

2006 FORD MUSTANG BGP7849 08/MI VIN# 1ZVFT80N365183513 TOW BY GENES

VEU74: ERIK SCOTT-PEARSON JOHNSON, W/M/18 OF 158 MAPLEFIELD RD. PLEASANT RIDGE, MI. ISS ORD U41093408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER. VEHIGLE: 1998-RED ESGORT-PLATE# BQV2965-08/MI-VIN# 3FAFP15P1WR251383-HELD-AT=B&T=TOWING

VEU75: JAKE ANDREW GROSS, W/M/21, 10/26/86 OF 8863 CARRIAGE HILL DR., SHELBY TWP., MI. ISS ORD U41093508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO K. WHEELER.

VEHICLE: 2001 NISSAN ALTIMA TAN PLAT# 8HXN87 08/MI VIN# 1N4DL01D31C236660 AC TOWING

VEU76: CHRISTOPHER ANDY KRSTESKI, W/M/27, OF 38688 BYRIVER ST. CLINTON TWP., MI. ISS ORD U42343808 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. CARTER.

VEH: 2008 VW WHITE BAN7910 08/MI VIN# 2VWRM71K58M124694 TOW BY AC TOWING

VEU77: ANTHONY EDWARD PEDALINO, W/M, 1/29/85 OF 932 DEWEY, ANN ARBOR, MI. ISS ORD U41092608 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. BROWN.

VEHICLE: 2001 HONDA 4/D SILVER PLATE# 0MQ43 08/MI VIN# 1HGCG56691A085497 HELD AT GENES TOWING

VEU78: ENGAGER, BARTENDER: JENNIFER ANNE SCHRAEDER, WIFI26, 5/5/82 OF 31666 NIXON, BEVERLY HILLS, MI. ISS ORD U42346308 FOR "ENGAGE IN ILLEGAL OCCUPATION" BY SGT. DANIEL BUGLO 2006 TOY SCION XA VIN# JTKKT624860156310

VEU79: MICHAEL ANTHONY MAZZOLE, W/M, 5/24/87 OF 143 S. HIGHLAND, MT. CLEMENS, MI. ISS ORD U42363408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO M. LAWS.
1997 SUBURU OUTBACK VIN# JF1GF4853VG812742 AC TOWING

VEU80: LEAH CHRISTIAN GARVONIC, W/F/20, 8/26/87 OF 39757 BERKLEY, CLINTON TWP., MI. ISS ORD U42344408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO D. PENN.
1993 GRAND AM VIN# 1G2NW54N9PC778687

VEU81: ASHLEY RENEE LISI, W/F/18, 3/13/90 OF 15345 GLENHURST, SOUTHGATE, MI. ISS ORD U42345308 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO J. PASSMORE
1999 FORD TAURUS VIN 1FAFP52U6XA111066

VEU82: SARAH CATHERINE MERCURY, WIF/25, 7/26/82 OF 2720 ROSA PARKS BLVD. DETROIT, MI. ISS ORD U42345408 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY PO T. GRAY. 2007 CHRYSLER PACIFICA VIN 2A8GM68X57R162013 B&G TOWING

#### DETROIT POLICE DEPARTMENT FOLLOW-UP 12 Pg 5 of 5 REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.3

Report Date: 6/2/2008

VEU83: AMADA B. SANDRIK, W/F/19, 12/25/88 OF 12908 GRANDE POPLAR CR., PLAINFIELD, IL. ISS ORD U42340508 FOR "LOITER IN A PLACE OF ILLEGAL OCCUPATION" BY SGT. C. TURNER 2003 PONT GRAND AM VIN# 1G2NW12E63C308784

LT. VICKI YOST, BADGE L-112 AND SERGEANT DANIEL BUGLO, BADGE S-444, BOTH ASSIGNED TO VICE ENFORCEMENT, ENTERED THE LOCATION IN AN UNDERCOVER CAPACITY TO CONFIRM ILLEGAL ACTIVITY. WRITER AND PARTNER WERE CHARGED A \$5.00 COVER CHARGE AND A \$3.00 MEMBERSHIP FEE. WRITER OBSERVED SEVERAL PATRONS WITH ALCOHOL. WRITER AND PARTNER PURCHASED BEER FROM THE BAR AT \$4.00 A CUP. AT APPROX. 2:10AM, PATRONS WERE STILL BEING ALLOWED INTO THE LOCATION AND THE BAR WAS STILL OPEN. LT. YOST NOTIFIED THE RAID CREW AND SAME EXECUTED THE ANTICIPATORY SEARCH WARRANT. WRITER WAS THE AFFIANT ON THE SEARCH WARRANT.

NOTE: A PINK PURSE BELONGING TO CAITLIN D. BRUCE-CAMPO, WIF OF 39500 CHART ST., HARRISON TWP. PHONE 586-792-7416, CONTAINING NO VALUABLES, WAS RELEASED TO JACOB TIMLIN, PH. 586-931-5042 PER HER (CAITLIN.) LT. YOST SPOKE TO MS. BRUCE-CAMPO.

Offense Description	0990 - INFORMATION			
IBR Code		Location	05 - COMMERCIAL/OFFICE	E BUILDING
IBR Group		Offense Completed?	NO	No. Prem. Entered
Crime Against		Hate/Blas	00 - NONE (NO BIAS)	Entry Method
Offense File Class	99009 -	Domestic Violence	NO	Type Security
PACC				Tools Used
Local Code				
Using				
Criminal Activity				
Weapons				

## EXHIBIT 22

### 2:10-cv-10675-VAR-MKM Doc # 84-23 Filed 04/17/12 Pg 2 of 27 Pg ID 2101

Gregory McWhorter, Sgt. 10/27/2011

1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE EASTERN DISTRICT OF MICHIGAN
2 3	SOUTHERN DIVISION
3	IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER,
4	ANGIE WONG, JAMES WASHINGTON, NATHANIEL
-1	PRICE, JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE,
5	DARLENE HELLENBERG, THOMAS MAHLER, and
J	LAURA MAHLER,
6	LACKA PARILER,
Ŭ	Plaintiffs,
7	Hon. Victoria A. Roberts
	Magistrate Judge Mona K. Mazoub
8	-vs- No. 10-v-10675
9	CITY OF DETROIT, a municipal
	corporation, Lieutenant VICKI YOST
10	a Detroit police officer, in her
	individual capacity, Sergeant DANIEL
11	BUGLO, a Detroit police officer, in his
	individual capacity, Sergeant G. MCW-ORTER,
12	a Detroit police officery in his/her
	individual capacity, Sergeant A. POTTS,
13	a Detroit police officer in hrs/her
F1 4	individual capacity, Sergeant CHARLES TURNER,
14	a Detroit police officer in his individual
15	capacity, Officer N. BROWN, a Detroit police officer, in his/her individual capacity, Officer
тэ	B. COLE, a Detroit police officer, in his/her
16	individual capacity, Officer TYRONE GRAY, a
	Detroit police officer, in his individual
17	capacity, Officer SHERON JOHNSON, a Detroit
	police officer, in her individual capacity,
18	Officer K. SINGLETON, a Detroit police officer,
	in his/her individual capacity, and UNNAMED
19	DETROPT POLICE OFFICERS, in their individual
	capacities,
20	
	Defendants.
21	
22	
	DEPOSITION OF SERGEANT GREGORY McWHORTER
23	
24	THURSDAY, OCTOBER 27, 2011
24	



### 2:10-cv-10675-VAR-MKM Doc # 84-23 Filed 04/17/12 Pg 3 of 27 Pg ID 2102

## Gregory McWhorter, Sgt. 10/27/2011

2 (Pages 2 to 5)

	A (Lager	,	CO 3/
	Page 2	1	Page 4
	-		
1 2	Densetting of SER CEASE OR FOODWAA WHIODEED	1	Detroit, Michigan
3	Deposition of SERGEANT GREGORY McWHORTER, taken in the above-entitled cause before Denise Moorfoot,	2	Thursday, October 27, 2011
4	(CSR-2275), Court Reporter and Notary Public for the County	3	12:15 p.m.
5	of Oakland, State of Michigan, at 660 Woodward, Suite 1650,	4	
6	Detroit, Michigan, on Thursday, October 27, 2011, commencing at	Į	GREGORY McWHORTER
7	or about the hour of 12:15 p.m.	5	
8	APPEARANCES:	6	was thereupon called as a witness herein and, after
9	MD DANIELS KODODKIN	7	having been first duly sworn to tell the truth, was
10	MR, DANIEL S, KOROBKIN American Civil Liberties Union Fund of Michigan	8	examined and testified as follows:
10	2966 Woodward Avenue	9	
11	Detroit, Michigan 48201	10	EXAMINATION
	-and-	11	BY MR. KOROBKIN:
12	MS. KATHRYN BRUNER JAMES	12	
" "	Goodman & Hurwitz, P.C.		Q Good afternoon, Sergeant McWhorter. Is that correct?
13	1394 E. Jefferson Avenue Detroit, Michigan 48207	13	A Yes.
14	Appearing on behalf of the Plaintiffs.	14	Q My name is Dan Korobkin. I'm the attorney for the
15	MR. JERRY ASHFORD	15	plaintiffs in this case.
	City of Detroit Law Department	16	A Okay.
16	660 Woodward Avenue	17	Q There are eight plaintiffs in this case who were at the
4.0	1650 First National Building	18	Contemporary Art Institute of Detroit on May 31st, 2008,
17	Detroit, Michigan 48226 Appearing on behalf of the Defendants.	19	- · · · · · · · · · · · · · · · · · · ·
18	rippearing on behalf of the Defendants.	i	when there was a police department raid there. There are
19		20	also four plaintiffs who were not actually present there,
20	;	21	but they're the owners of cars that were impounded at that
21		22	event. I'm going to be asking you some questions today.
22 23		23	Have you been deposed before?
24		24	A As far as in correlation with this?
25		25	Q Not in connection with this. Any other case.
*******			
***************************************	Page 3		Page 5
1	Page 3	1.	Page 5
1 2 .	Page 3	1	Page 5 A Yes.
	Page 3 . TABLE OF CONTENTS	2	Page 5 A Yes. Q About how many times?
3	TABLE OF CONTENTS	2	Page 5 A Yes. Q About how many times? A Approximately six, seven.
2 · 3 · -4 · 5	TABLE OF CONTENTS -WITNESS	2 3 4	Page 5  A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just
2 · 3 · · · · · · · · · · · · · · · · ·	TABLE OF CONTENTS	2	Page 5  A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court
2 · 3 · -4 · 5	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4	2 3 4	Page 5  A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just
2 3 5 6 7	TABLE OF CONTENTS -WITNESS	2 3 4 5	Page 5  A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court
2 · 3 · · · · · · · · · · · · · · · · ·	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin  DEPOSITION EXHIBITS	2 3 4 5 6	Page 5  A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or
2 3 5 6 7	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6	2 3 4 5 6 7 8	A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or
2 · · · · · · · · · · · · · · · · · · ·	TABLE OF CONTENTS  WITNESS PAGE  SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6  Tecum of Sgt. Gregory McWhorter	2 3 4 5 6 7 8	A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to
2 · 3 · 5 · 6 · 7 · 8	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6	2 3 4 5 6 7 8 9	A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask
2 · 3 · 5 · 6 · 7 · 8	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Buforcement 14 Standards, Individual Employment History	2 3 4 5 6 7 8 9 10	Page 5  A Yes.  Q About how many times?  A Approximately six, seven.  Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the
2 · 4 · · · · · · · · · · · · · · · · ·	TABLE OF CONTENTS  WIFNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Enforcement 14 Standards, Individual Employment History  Exhibit 3 - Nuisance Abatement Statute & 27	2 3 4 5 6 7 8 9 10 11	A Yes.  Q About how many times?  A Approximately six, seven.  Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the question or you would like it repeated, you can either ask
2 · · · · · · · · · · · · · · · · · · ·	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Enforcement 14 Standards, Individual Employment History  Exhibit 3 - Nuisance Abatement Statute & 27 Raid Execution/Blind Pig	2 3 4 5 6 7 8 9 10	Page 5  A Yes.  Q About how many times?  A Approximately six, seven.  Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the
2 3 5 6 7 8 9 10 11 12 13	TABLE OF CONTENTS  WITNESS SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Enforcement 14 Standards, Individual Employment History  Exhibit 3 - Nuisance Abatement Statute & 27 Raid Execution/Blind Pig Exhibit 4 - DPD Activity Log Dated 5-30-08 62	2 3 4 5 6 7 8 9 10 11	A Yes.  Q About how many times?  A Approximately six, seven.  Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the question or you would like it repeated, you can either ask
2 3 5 6 7 8 9 10 11 12 13 14	TABLE OF CONTENTS  WITNESS SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Enforcement 14 Standards, Individual Employment History  Exhibit 3 - Nuisance Abatement Statute & 27 Raid Execution/Blind Pig Exhibit 4 - DPD Activity Log Dated 5-30-08 62 Exhibit 5 - DPD Crime Report 0805310096.1 68	2 3 4 5 6 7 8 9 10 11 12	A Yes. Q About how many times? A Approximately six, seven. Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the question or you would like it repeated, you can either ask me to do that, or you could ask the court reporter to
2 3 5 6 7 8 9 10 11 12 13 14 15	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Enforcement 14 Standards, Individual Employment History  Exhibit 3 - Nuisance Abatement Statute & 27 Raid Execution/Blind Pig Exhibit 4 - DPD Activity Log Dated 5-30-08 62 Exhibit 5 - DPD Crime Report 0805310096.1 68 Exhibit 6 - DPD Follow-Up Report 0805310096.3 76	2 3 4 5 6 7 8 9 10 11 12 13	A Yes.  Q About how many times?  A Approximately six, seven.  Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the question or you would like it repeated, you can either ask me to do that, or you could ask the court reporter to repeat-the question that I have asked-you.  And, finally, you're being represented by Mr.
2 3 5 6 7 8 9 10 11 12 13 14	TABLE OF CONTENTS  WITNESS PAGE SERGEANT GREGORY McWHORTER Examination by Mr. Korobkin 4  DEPOSITION EXHIBITS  Exhibit 1 - Re-Notice of Taking Deposition Duces 6 Tecum of Sgt. Gregory McWhorter Exhibit 2 - Michigan Commission on Law Enforcement 14 Standards, Individual Employment History  Exhibit 3 - Nuisance Abatement Statute & 27 Raid Execution/Blind Pig Exhibit 4 - DPD Activity Log Dated 5-30-08 62 Exhibit 5 - DPD Crime Report 0805310096.1 68 Exhibit 6 - DPD Follow-Up Report 0805310096.3 76 Exhibit 7 - Confirmation Report on Probationary 86	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Yes.  Q About how many times?  A Approximately six, seven.  Q So you probably know the basic ground rules, but I'm just going to go over them real quickly. To help the court reporter, please make sure all your answers to my questions are verbal instead of shaking your head or nodding your head, and please try not to say uh-huh or uh-uh because that's very hard for the court reporter to take down. If you don't understand a question, please ask me to rephrase it or clarify. If you didn't hear the question or you would like it repeated, you can either ask me to do that, or you could ask the court reporter to repeat the question that I have asked-you.  And, finally, you're being represented by Mr.  Ashford here today from the City of Detroit Law
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### 2:10-cv-10675-VAR-MKM Doc # 84-23 Filed 04/17/12 Pg 4 of 27 Pg ID 2103

## Gregory McWhorter, Sgt. 10/27/2011

### 3 (Pages 6 to 9)

	5 (rages	1	LU	
	Page 6			Page 8
1	this as Exhibit 1.	1	Α	I'm in the military.
2	(WHEREUPON, Deposition Exhibit 1	2	Q	Okay.
3	was marked for identification.)	3	Α	I wouldn't say Well, support of I would say military
4	BY MR. KOROBKIN:	4		law.
5	Q Sergeant McWhorter, this is a notice that is called	5	Q	I'm sorry?
6	Re-Notice of Taking Deposition Duces Tecum of Sergeant	6	A	
7	Gregory McWhorter. Have you seen this document before?	7	Q	Can you describe a little bit more what you do in the
8	A No.	8		military?
9	Q Were you asked to bring anything with you today?	9	Α	Emergency management type functions, security, clearances,
10	A I did bring some documentation, yes.	10		that type of thing.
11	Q And what do you have with you today?	11	Q	What branch of the military?
12	A Activity log, a Detroit Police Department crime report,	12	Α	Air Force.
13	follow-up report, and that was it. Basically the search	13	Q	And what is your rank?
14	warrant itself.	14	Α	Senior master sergeant,
15	MR. KOROBKIN: I'll just place on the record	15	Q	And is this the reserves?
1.6	that I'm going to reserve the right to continue the	16	A	Yes.
17	deposition if there are any other documents that we have	17	Q	Where did you go to high school?
18	asked to be produced for this deposition that subsequently	18	A	Henry Ford High School.
19	come to light,	19	Q	You have a high school degree?
20	BY MR. KOROBKIN;	20	Α	Yes.
21	Q What you have described is the totality of what you have	21		MR. ASHFORD: You mean diploma?
22	that you have brought with you today; is that correct?	22		THE WITNESS: Diploma.
23	A Yes.	23		MR, KOROBKIN: Yes. I guess none of us has a
24	Q Is there anything other than the documents you have just	24	1	high school degree.
25	described to me that you have reviewed before this	25		MR. KOROBKIN:
	Dogo 7		···	7
-	Page 7		_	Page 9
1	deposition?	1		Do you have a degree from any other institution of higher
2	A No. That was it,	2		learning besides high school?
3		1 -		
4	Q And did you get a chance to review those documents before	3	A	Florida A & M.
4	today's deposition?	4	A Q	What's your degree?
5	today's deposition? A Yes.	4 5	A Q A	What's your degree? Sociology.
5	today's deposition?  A Yes.  Q Great, I can take back the notice.	4 5 6	Q A Q	What's your degree? Sociology. Is it a bachelor of science, arts?
5 6 7	today's deposition?  A Yes.  Q Great. I can take back the notice.  Let me ask you for your full name and your badge	4 5 6 7	Q A Q A	What's your degree? Sociology. Is it a bachelor of science, arts? Bachelor's, yes.
5 6 7 8	today's deposition?  A Yes.  Q Great. I can take back the notice.  Let me ask you for your full name and your badge number as well, please.	4 5 6 7 8	A Q A Q A Q	What's your degree? Sociology. Is it a bachelor of science, arts? Bachelor's, yes. Have you taken classes, other than at Florida A & M, at
5 6 7 8 9	today's deposition?  A Yes.  Q Great, I can take back the notice.  Let me ask you for your full name and your badge number as well, please.  A Gregory Mark McWhorter, badge S-102.	4 5 6 7 8 9	A Q A Q A Q	What's your degree? Sociology. Is it a bachelor of science, arts? Bachelor's, yes. Have you taken classes, other than at Florida A & M, at any other institute of higher learning?
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	today's deposition?  A Yes.  Q Great. I can take back the notice.  Let me ask you for your full name and your badge number as well, please.  A Gregory Mark McWhorter, badge S-102.  Q S indicates you're a sergeant?  A Yes.  Q Were you also a sergeant on May 31st, 2008?  A Yes.  Q How long have you been with the Detroit Police Department?  A Approximately nineteen years.  Q So your date of hire would have been early nineties?  A Yes.  Q Do you know exactly what date or year you were hired?  A Yes. It would have been September 20th, 1993.  Q Have you ever been employed by any other law enforcement agency other than the City of Detroit Police Department?  A No.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q Q A Q Q i	What's your degree? Sociology.  Is it a bachelor of science, arts? Bachelor's, yes.  Have you taken classes, other than at Florida A & M, at any other institute of higher learning? Yes.  And what would those be? Community College of the Air Force, places I have been stationed, because I was active duty for approximately fifteen years. So University of Nebraska. Oh, goodness. That's about it.  What did you do at the University of Nebraska? Basically seminars, classes as far as sociology, that type of thing. It wasn't really in the law enforcement field? No. What were the years that you were on active duty? Was it in the Air Force?
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	today's deposition?  A Yes.  Q Great. I can take back the notice.  Let me ask you for your full name and your badge number as well, please.  A Gregory Mark McWhorter, badge S-102.  Q S indicates you're a sergeant?  A Yes.  Q Were you also a sergeant on May 31st, 2008?  A Yes.  Q How long have you been with the Detroit Police Department?-  A Approximately nineteen years.  Q So your date of hire would have been early nineties?  A Yes.  Q Do you know exactly what date or year you were hired?  A Yes. It would have been September 20th, 1993.  Q Have you ever been employed by any other law enforcement agency other than the City of Detroit Police Department?  A No.  Q Are you currently employed in the field of security or	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Q A Q A Q A Q A A Q A A Q A A A A A A	What's your degree? Sociology.  Is it a bachelor of science, arts? Bachelor's, yes.  Have you taken classes, other than at Florida A & M, at any other institute of higher learning? Yes.  And what would those be? Community College of the Air Force, places I have been stationed, because I was active duty for approximately fifteen-years. So University of-Nebraska. Oh, goodness. That's about it.  What did you do at the University of Nebraska? Basically seminars, classes as far as sociology, that type of thing. It wasn't really in the law enforcement field? No.  What were the years that you were on active duty? Was it in the Air Force? Yes. 1980 is when I started until now and continuing.
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	today's deposition?  A Yes.  Q Great. I can take back the notice.  Let me ask you for your full name and your badge number as well, please.  A Gregory Mark McWhorter, badge S-102.  Q S indicates you're a sergeant?  A Yes.  Q Were you also a sergeant on May 31st, 2008?  A Yes.  Q How long have you been with the Detroit Police Department?  A Approximately nineteen years.  Q So your date of hire would have been early nineties?  A Yes.  Q Do you know exactly what date or year you were hired?  A Yes. It would have been September 20th, 1993.  Q Have you ever been employed by any other law enforcement agency other than the City of Detroit Police Department?  A No.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q A Q A Q A Q A Q A Q A Q A Q	What's your degree? Sociology.  Is it a bachelor of science, arts? Bachelor's, yes.  Have you taken classes, other than at Florida A & M, at any other institute of higher learning? Yes.  And what would those be? Community College of the Air Force, places I have been stationed, because I was active duty for approximately fifteen years. So University of Nebraska. Oh, goodness. That's about it.  What did you do at the University of Nebraska? Basically seminars, classes as far as sociology, that type of thing. It wasn't really in the law enforcement field? No. What were the years that you were on active duty? Was it in the Air Force?

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# Gregory McWhorter, Sgt. 10/27/2011

### 4 (Pages 10 to 13)

		, ,	1		·
		Page 10			Page 12
1	Α	Well, reserves. I did fifteen years of active duty.	1	Α	Yes.
2		Again, well, thirteen I'm sorry. Thirteen years of	2	Q	When was that completed?
3		active duty, left the service due to an injury, joined the	3	-	I started September 20th, '93. I'm going to say February
4		reserves, and I have been in the reserves since.	4		of Well, February, March of '94. I'm unclear on my
5	Q	When you left active duty in the Air Force, that was when	5		completion date.
6		you joined the Detroit Police Department?	6	Q	1994?
7	Α	Yes.	7	À	Yes.
8	Q	Did you have any other jobs before you joined the police	8	Q	Did you have any law enforcement training prior to your
9		department other than being in the military?	9		academy training for the Detroit Police Department?
10	Α	UPS.	10	Α	Only in the military.
11	Q	And what did you do for them?	11	Q	Can you tell me a little bit of what that consisted of,
12	Α	Basically, it was express package delivery.	12	•	the military law enforcement training?
13	Q	What were the years of your employment at UPS?	13	Α	I'm a security specialist dealing with security of the
14	Α	Approximately, say about eighteen months actually. It was	14		base itself, the personnel on the base, nuclear weapons,
15		in lieu of waiting for my application to go through at the	15		and military resources.
1.6		Detroit Police Department and Michigan State Police.	16	Q	And where did that training take place?
17	Q	So about what year?	17	Α	Lackland Air Force Base, Texas.
18	A	What year what?	18	Q	The training was by the Air Force?
19	Q	Were you employed at UPS?	19	A	Yes,
20	Α	I would say 1991, going into '92 type of thing. Yeah.	20	Q	Can you tell me I think we have been through your ranks
21	Q	How old are you?	21	-	in the Detroit Police Department. Can you tell me which
22	Α	I am fifty years of age.	22		departments or divisions you have been assigned to during
23		(Discussion off the record.)	23		your career in the Detroit Police Department?
24	BY	Y MR. KOROBKIN:	24	A	They would be let's see would be the 13th Precinct,
25	Q	You said you're in the Air Force. Is there a division	25		special response team, mayor's security. Oh, gosh.
		Page 11			Page 13
1		within the Air Force that you're currently assigned to? I	1		•
2		don't know how the structure works.	1 2		Narcotics, traffic enforcement, tactical mobile, 12th
3	Λ	Well, my career field would be what they call emergency	3		Precinct, 10th Precinct, fugitive apprehension with the
4		management. Yes,	4	0	U.S. Marshals. That's all I can remember right now.  The date of the incident that brings us here today is May
5	O.	And what would they call that within the Air Force? A	5	•	31st, 2008. What division or department were you assigned
6	~	division? A unit?	6		to at that time?
7	Α	That is a job, basically my job description. Yes.	7	A	Tactical mobile.
8	Ó	And is there a sub category, a sub unit of the Air Force	8	Q	Are you still assigned to tactical mobile?
9	V	that you report to?	9	A	lam now,
10	A	Yes. I mean, numerically it would be the 445th Civil	10	Δ	Has there been a break between then and now?
11		Engineering Squadron.	11	A	Yes,
12	Q	Great. I think that's what I was looking for.	12	0	Please describe what that break was.
13	-	Okay.	13	Ā	I was reassigned from tactical mobile to the Detroit
14		How long have you been assigned to the rank of sergeant?	14 -		fugitive apprehension team, manpower shifting to the 12th
15	A	I believe it was 2004. 2004-2005,	15		Precinct, and back to tactical mobile.
16	Q	You were promoted from the rank of?	16		Have you ever applied for a promotion that's been denied
17	A	Police officer.	17		to you?
18	0	Have you held any other rank besides police officer and	18	A	No.
19	_	sergeant in the Detroit Police Department?	19	0	Have you ever applied for a transfer that's been denied to
20		No, I have not.	20	-	you?
21		Have you ever been demoted at the Detroit Police	21		MR. ASHFORD: In the police department?
22		Department?	22		MR. KOROBKIN: Yes.
23		No, I have not.	23		THE WITNESS: Repeat your question.
24	Q	Your training was at the Detroit Police Academy; is that	24	BV	MR. KOROBKIN:
	*	•	ı		THE RESERVE OF THE PARTY OF THE
25		right?	25	Q	Have you ever applied for a transfer in the police

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# Gregory McWhorter, Sgt. 10/27/2011

### 5 (Pages 14 to 17)

	Page 14		Page 16
1	department that has been denied to you?	1	have had to have occurred on the special response team.
2	A No, not that I know of.	2	Forty hours it says. It would not be a I was
3	MR. KOROBKIN: I'm going to ask the court	3	certified. It would not be a pass/fail type course as far
4	reporter to mark Exhibit 2.	4	as, you know, if you failed any aspect of special response
5	(WHEREUPON, Deposition Exhibit 2	5	team, then you wouldn't be able to proceed on special
6	was marked for identification.)	6	response team.
7	BY MR. KOROBKIN;	7	Q You would be reassigned?
8	Q Sergeant, I'm handing you a document, and at the top of	8	A Yes.
9	the document it says "Michigan Commission on Law	9	Q So do you have any idea what this means?
10	Enforcement Standards, Individual Employment History."	10	A Incorrection (sic). I have no idea. Where the document
11	Could you take a moment to review this and tell me if you	11	comes from, maybe the State, I don't know. Like I said, I
12	agree it more or less describes the training that you have	12	don't know the premise behind it.
13	undertaken during your time at the Detroit Police	13	Q I'm sorry. You said incorrection?
14	Department?	14	A It would be
15	A Yes,	15	Q It's incorrect?
16	Q To your knowledge, does this describe all of the training	16	A Yeah, incorrect, yes.
17	you have received?	17	Q So to your knowledge, you have never failed a course or
18	A I cannot say for sure on the accuracy of this.	18	training segment that would be described as basic police
19	Q I'm sorry?	19	sniping?
20	A I'm not sure on the accuracy of this, no.	20	A Yes. I have never heard of basic police sniping. I'm
21	Q You're not sure?	21	
22	A No.	22	sorry. Q Yeah,
23	Q Is there anything here that you recognize as being	23	A I mean
24	inaccurate in the sense that you did not attend that	24	Q I share your view on that.
25	training?	25	A Somehow or another there must be an incorrection (sic) of
		-	A Bomenow of another their files be an inconfection (sic) of
	Page 15		Page 17
1	A No. It seems like I have attended this training.	1	terms or what have you.
2	Q And can you think of anything specifically that you Can	2	Q And you can't recall around that date of August 2002 you
3	you think of any training specifically that you have	3	going to a training or having failed to go to a training?
4	attended that is not listed on this document as a Detroit	4	A No.
5	Police Department officer?	5	Q Okay.
6	MR. ASHFORD: Objection as to form. You can	6	A Uh-uh.
7	answer,	7	Q I'll take that back when you're ready,
8	THE WITNESS: That I don't know. I can't I	8	Are you familiar with the City of Detroit
9	mean, I'm not thinking of	9	ordinance loitering in a place of illegal occupation?
10.	BY MR. KOROBKIN:	1.0	A Yes, I have heard of it.
11	Q You can't think of anything right now?	11	Q Do you know if you have received any training on that
12	A Right.	12	ordinance and how to enforce it?
13	Q Okay. Let me ask you if you would turn to page 5 of 5.	13	A I don't recall.
14	A Page 5 of 5. Okay.	14.	Q. Are you familiar with the nuisance abatement law?
15	Q The first line there in the middle of the page says "Basic	15	A Yes.
16	Police Sniping"?	16	Q And have you received any training about what that means
17	A Yes.	17	or how to enforce it?
18	Q And then there's an indication that suggests that you have	18	A I do not recall.
19	failed that course.	19	Q Are you familiar with the term blind pig?
20	A Okay.	20	A Yes.
21	Q Do you recall that?	21	Q Can you tell me what that term means to your knowledge?
22	A That's not a course you pass or fail.	22	A Basically, illegal activities being conducted inside a
23	Q What do you mean by that exactly?	23	place supposedly that appears to be appears to be a
24	A Basic police sniping? First of all, I have never heard of	24	wouldn't necessarily be like a cabaret place or a place
			like a lounge or what have you. Plain building,
25	it in that terminology before. Second of all, this would	25	like a lonnge of what have you. Plain building

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## Gregory McWhorter, Sgt. 10/27/2011

6 (Pages 18 to 21)

	o (rages	TS	LO 21)
	Page 18		Page 20
1	plain-wrappered building, what have you, a place I	1	A Yes,
2	guess you could call it in the basement of a home. It	2	Q Did you learn that through your training at the Detroit
3	could be in a building, a commercial building labeled as	3	Police Department?
4	something else.	4	A Yes.
5	Q And any type of illegal activity in particular or	5	Q And has your training included when you would have
6	anything?	6	probable cause to take law enforcement action?
7	A Anything that would be illegal.	7	A Yes.
8	Q And have you had training on law enforcement activity or	8	Q Did the training include instructions regarding the need
9	policies related to blind pigs?	9	for particularized probable cause?
10	MR. ASHFORD: Objection to the form.	10	MR. ASHFORD: Objection as to form. Do you
11	THE WITNESS: I do not recall.	11	understand the question?
12	BY MR. KOROBKIN:	12	THE WITNESS: No, I don't. You say
13	Q Do you understand the question?	13	"particularized."
14	A Yes,	14	BY MR. KOROBKIN;
15	Q Have you had training in the execution of search warrants?	15	Q You have not heard that term?
16	A Yes.	16	A No, I have not.
17	Q When was that training?	17	Q The question I'm asking is whether probable cause needs to
18	A I do not recall the date. It was Yeah, I do not recall	18	be particularized to the specific person that you are
19	the date.	19	either detaining, searching, or arresting?
20	Q Was it more than one training?	20	A No.
21	A. I believe twice.	21	
22	Q Were there any printed materials that were handed out to	22	Q No, you haven't received training on it?  A Not that I recall.
23	you during either one of those trainings?	23	
24	A I don't recall if there was,	24	Q Did your training include any discussion of how to Scratch that.
25	Q You have had use of force training?	25	Did your training include how probable cause
	2		Did your training include now probable cause
	Page 19		Page 21
1	A Yes.	1	applies to large groups of people?
2	Q And about how many times have you had use of force	2	A Large groups of people? I do not recall.
3	training?	3	Q Okay. Let me rephrase the question Lasked earlier. Did
4	A Yearly.	4	the training include whether probable cause must be
5	Q Since you joined the force?	5	specific toward a particular person?
6	A · Yes.	6	MR. ASHFORD: Objection as to form.
7	Q You have received written materials at those trainings?	7	THE WITNESS: That I don't recall.
8	A Yes, they do provide a pamphlet, yes, use of force, yes.	8	BY MR. KOROBKIN:
9	Q Have you kept any of those materials?	9	Q Okay. And just to follow up, as far as you know, you
10		10	don't have any written materials in your possession,
11	Q You've thrown them out, recycled them, whatever?	11	either in your office or your home, from trainings you
12	A Basically, yes.	12	have received at the Detroit Police Department?
13		13	A No. As far as written, no.
1.4	include what to do with people who are located inside a	14	Q- Tactical-mobile, that's your current assignment and was
15	place that you're searching who are not specifically named	15	your assignment at the time of the raid that brings us
16	or described by the search warrant?	16	here today, correct?
17	A You're saying a procedure?	17	A Yes, sir.
18	Q Yes.	18	Q Can you tell me where that entity is placed within the
19	MR. ASHFORD: Objection to the form,	19	overall structure of the Detroit Police Department? Is it
20	THE WITNESS: I don't recall,	20	under an umbrella with other units? How is it arranged
21		21	hierarchically within the Detroit Police?
22	Q Have you been trained on terminology and procedures	22	A I would not know the hierarchy. I don't think there's an
23	,	23	organizational chart that applies.
24	<del></del>	24	MR. ASHFORD: Objection as to form.
25	Q Do you know the terminology "probable cause"?	25	BY MR. KOROBKIN:



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### Gregory McWhorter, Sgt. 10/27/2011

7 (Pages 22 to 25)

	Page 22		Page 24
1	Q Is tactical mobile under any form of structural umbrella	1	differences are you referring to?
2	with other units or divisions of the Detroit Police	2	A Over the years, the structure changes according to
3	Department?	3	manpower,
4	A Patrol support.	4	Q What's the general mission or role of the tactical mobile
5	Q Okay. What is the relationship between patrol support and	5	unit?
6	tactical mobile?	6	MR. ASHFORD: Objection to form. Go ahead.
7	A That's the entity that tactical mobile reports to.	7	THE WITNESS: Patrol support,
8	Q Who else reports to patrol support besides tactical	8	BY MR, KOROBKIN:
9	mobile?	9	Q What does patrol support mean?
. 10	A Traffic enforcement, K-9, weights and measures, I believe	10	A It means precincts and districts within the city, we add a
11	gang enforcement, and that's all I recall.	11	support element to them to help them out in their patrol
12	Q Who do you report to?	12	duties. Also, specialized as far as crowd control, mobile
13	A Who do I report to?	13	field force, and anything where the police department may
14	Q Yes.	14	need aid with more manpower,
15	MR, ASHFORD: Currently?	15	Q So you're able to go to whatever precinct or division?
16	MR. KOROBKIN: Yes.	16	A City-wide.
17	THE WITNESS: Currently? Lieutenant.	17	Q The vice enforcement squad, what's the relationship
18	BY MR. KOROBKIN:	18	between tactical mobile and vice?
19	Q That lieutenant is within tactical mobile?	19	A If vice needs help, they can get it from tactical mobile
20	A Yes.	20	as with any unit in the Detroit Police Department.
21	Q And is that lieutenant in command of tactical mobile?	21	Q And who would make the request for help? Someone from
22	A Yes.	22	vice would ask tactical mobile to come in and help?
23	Q So above the lieutenant, you're outside tactical mobile?	23	A I believe the proper channel would be whoever is in charge
24	A No. He has a person he reports to.	24	of vice would go through the chief's office, and then it
25	Q And who is that?	25	would come down that way.
	Page 23		Page 25
1	Page 23  A That's when it goes to patrol support.	1	
1 . 2	<del>-</del>	1 2	Page 25  Q Have you participated in a blind pig raid before?  A Yes.
	A That's when it goes to patrol support.		Q Have you participated in a blind pig raid before?
. 2	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above	2	Q Have you participated in a blind pig raid before? A Yes.
· 2	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above the lieutenant?	2	Q Have you participated in a blind pig raid before? A Yes. Q About how many times?
· 2 3 4	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above the lieutenant?  A Yes.	2 3 4	Q Have you participated in a blind pig raid before?  A Yes.  Q About how many times?  A I don't recall the number of times.
. 2 3 4 5	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above the Jieutenant?  A Yes.  Q And what's the rank of that individual?	2 3 4 5	Q Have you participated in a blind pig raid before? A Yes. Q About how many times? A I don't recall the number of times. Q More than five?
. 2 3 4 5	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above the lieutenant?  A Yes.  Q And what's the rank of that individual?  A You usually have an inspector; then you have a commander.	2 3 4 5 6	Q Have you participated in a blind pig raid before? A Yes. Q About how many times? A I don't recall the number of times. Q More than five? A Yes.
. 2 3 4 5 6 7	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above the licutenant?  A Yes.  Q And what's the rank of that individual?  A You usually have an inspector; then you have a commander. Yes.	2 3 4 5 6 7	Q Have you participated in a blind pig raid before? A Yes. Q About how many times? A I don't recall the number of times. Q More than five? A Yes. Q More than ten?
. 2 3 4 5 6 7 8	<ul> <li>A That's when it goes to patrol support.</li> <li>Q I see. So patrol support would be the next step up above the lieutenant?</li> <li>A Yes.</li> <li>Q And what's the rank of that individual?</li> <li>A You usually have an inspector; then you have a commander. Yes.</li> <li>Q How many sergeants are in tactical mobile?</li> </ul>	2 3 4 5 6 7 8	Q Have you participated in a blind pig raid before? A Yes. Q About how many times? A I don't recall the number of times. Q More than five? A Yes. Q More than ten? A I don't recall an exact number.
. 2 3 4 5 6 7 8	A That's when it goes to patrol support.  Q I see. So patrol support would be the next step up above the lieutenant?  A Yes.  Q And what's the rank of that individual?  A You usually have an inspector; then you have a commander. Yes.  Q How many sergeants are in tactical mobile?  A Right now?  Q Yes.  A Four.	2 3 4 5 6 7 8	Q Have you participated in a blind pig raid before? A Yes. Q About how many times? A I don't recall the number of times. Q More than five? A Yes. Q More than ten? A I don't recall an exact number. Q Not twenty or thirty?
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### Gregory McWhorter, Sgt. 10/27/2011

8 (Pages 26 to 29)

	o (rages	40	CO 29)
	Page 26		Page 28
1.	Q In terms of what you witnessed that day?	1	question?
2	A Yes.	2	MR. ASHFORD: Objection as to form. Why he
3	Q What, as you understand, is the general purpose of a blind	3	doesn't know? Is that what your question is?
4	pig raid?	4	THE WITNESS: Because I haven't had the Detroit
5	A Basically, if it's creating a disturbance in the	5	police policy in front of me,
6	neighborhood, i.e., number of people, illegal activity	6	BY MR, KOROBKIN:
7	going on, i.e., drinking, drugs, loud music, disturbing	7	Q How about in your experience does it reflect the general
8	the peace and well-being of the neighborhood.	8	practice or custom of the Detroit Police Department on
9	Q Is the goal of the raid to shut it down?	9	blind pig raids?
10	MR. ASHFORD: Objection as to form,	10	A That I would not know.
11	THE WITNESS: Yes, to stop the activity.	11	Q Now, you have been on several blind pig raids, right?
12	BY MR. KOROBKIN:	12	A Yes,
13	Q Is the target of the raid the business or the people who	13	Q Have those raids more or less followed what's described in
14	are present there within the business?	14	this document?
15	MR. ASHFORD: Objection as to form.	15	MR. ASHFORD: I'm going to object to the form.
16	THE WITNESS: I don't understand your question.	16	THE WITNESS: In my experience?
17	BY MR. KOROBKIN;	17	BY MR. KOROBKIN;
18	Q Is the principal illegal activity the running of the blind	18	Q I'm sorry?
19	pig or people's presence at the blind pig?	19	A Your question?
20	MR. ASHFORD: Objection as to form.	20	Q In your experience on the blind pig raids you have been
21	THE WITNESS: My opinion would be the people	21	on
22	that are involved and the business.	22	A Yes,
23	BY MR. KOROBKIN:	23	Q more or less what's written here is what happens?
24	Q Both?	24	MR. ASHFORD: Objection to the form.
25	A Yes.	25	THE WITNESS: In the first part, section 3801,
	Page 27		Page 29
1 .		1	Page 29
1 2	MR. KOROBKIN: Now, let me give you Exhibit No.	1 2	Page 29 execution, that kind of stuff, it all depends on where
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### Gregory McWhorter, Sgt. 10/27/2011

9 (Pages 30 to 33)

	Page 30		Page 32
1	Q So which of these roles were you assigned?	1	at a blind pig are ticketed for loitering in a place of
2	A Crew member.	2	illegal occupation; isn't that right?
3	Q Do you remember the location of the raid?	3	A It has been, yes.
4	MR. ASHFORD: Objection as to form,	4	Q Would that be discussed at the briefing ahead of time?
5	THE WITNESS: No, I do not.	5	A I don't understand.
6	BY MR. KOROBKIN:	6	MR. ASHFORD: Objection to form.
7	Q How many times were you assigned one of these positions at	7	BY MR. KOROBKIN:
8	a blind pig raid? More than once?	8	Q Would someone at the briefing say, once the facility is
9	A Yes.	9	secure, everyone inside will be ticketed for loitering in
10	Q So as a crew and it was always as a crew member?	10	a place of illegal occupation?
. 11	A Yes.	11	MR. ASHFORD: Object to the form.
12	Q As a crew member, what was your assignment or role? What	12	THE WITNESS: That, no, would not be said for
13	were you supposed to do as a crew member?	13	the fact of beforehand there would have been surveillance
14	A Basically, as part of special response team, we would go	14	done. Officers would have been inside, and it all
15	in, and we would mitigate any threats as far as weapons,	15	coexists on the reports of what they've seen, the accounts
16	dangerous weapons, and secure those personnel.	16	of what they've seen, who they've seen and however.
17	Q Were you part of the team that would go in first to the	17	BY MR. KOROBKIN;
18	establishment?	18	Q So when would you first know whether someone was going to
19	A Yes, when I was part of SRT.	19	be ticketed for loitering in a place of illegal
20	Q Once you were part of TMU, you were not assigned to any of	20	occupation?
21	these roles?	21	A You're saying me, myself, or at the briefing?
22	A No.	22	Q Well, it sounds like at the briefing someone is in charge?
23	Q What role were you assigned in TMU with respect to a blind	23	A Yes,
24	pig raid?	24	Q And they're basically saying this is what's going to
2.5	MR. ASHFORD: Objection, asked and answered. Go	25	happen during the blind pig raid?
	Page 31		Page 33
1	Page 31	1	Page 33 A Yes.
1	_	1 2	
	ahead.		A Yes.
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2 3	ahead.  THE WITNESS: Basically monitoring personnel, outside perimeter, could be processing, monitoring personnel.  BY MR. KOROBKIN:	2 3	A Yes.  Q And I guess my question is: Does that discussion include what to do with the people who are in the facility when
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### Gregory McWhorter, Sgt. 10/27/2011

10 (Pages 34 to 37)

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	Page 34		Page 36
1.	MR. ASHFORD: Objection, asked and answered.	1	loitering in a place of illegal occupation?
2	THE WITNESS: It means that people that are in a	2	MR. ASHFORD: Objection as to form.
3	place where there are illegal acts being conducted, they	3	THE WITNESS: I imagine the decision would be
4	may be participating in them, per se, in the place.	4	made when we get there.
5	BY MR, KOROBKIN;	5	BY MR. KOROBKIN:
6	Q If a person is not participating in an illegal act, but	6	Q Can you tell me, in TMU, by which I mean tactical mobile
7	they are merely physically present at the location that is	7	unit Is that the correct abbreviation?
8	being raided, are they loitering in a place of illegal	8	A Yes, sir.
9	occupation?	9	Q In TMU, when you go on a blind pig raid, what do you wear?
10	MR. ASHFORD: Objection to the form.	10	A Full uniform, fully marked police car.
11	THE WITNESS: From my position, and you're	11	Q Can you describe the full uniform?
12	talking within conjunction to the Contemporary Arts	12	A Badge, name tag, hat, equipment belt, weapon, shoes, your
13	building or	13	standard police uniform,
14	BY MR, KOROBKIN:	14	Q You have a badge and name tag?
15	Q I think we're going to get there in a minute, but I want	15	A Yes.
16	to know, based on your general experience in blind pig	16	Q What about when you were with SRT
17	raids, is someone who is merely physically present at the	17	A Yes.
18	location when you raid it loitering in a place of illegal	18	Q what would you wear for those raids?
19	occupation?	19	A It's all black, what we call tactical dress uniform, name
20	MR. ASHFORD: Objection as to form.	20	tag. The vest will say "Police" across it.
21	THE WITNESS: Usually, in my experience, if they	21	Q What color would the words "Police" be?
22	are inside, they have been either identified or seen by	22	A White,
23	the surveillance officer or officers in the blind pig or	23	Q And it would be a black vest with white lettering?
24	what have you. Yes, when we get there, that first element	24	A Yes.
25	that goes in, usually those people are identified or what	25	Q And it would say it all the way across the chest
	Page 35		Page 37
1	_	1	Page 37
1 2	have you like that. So I'm not really understanding.	1 2	Page 37 A And the back
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### Gregory McWhorter, Sgt. 10/27/2011

11 (Pages 38 to 41)

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		Page 38		Page 40
1		at now, it says "Raid Procedures"?	1	for identification and what have you like this, and the
2	Α	Mm-hmm,	2	process would start from there as far as the ticketing
3	Q	It says "Raid Entry"?	3	process,
4	À	Mm-hmm.	4	Q And is it your experience that everyone gets ticketed?
5	Q	"Assignments, Entry," and then it says, "Identification of	5	A I can't say that because of the fact of my position on
6	•	all Engager."	6	raids, what have you, doesn't allow me to see everybody
7	A	Mm-hmm.	7	being ticketed or knowing if everybody got ticketed or not
8	Q	What's an engager to your knowledge?	8	in my different facets of working TMU, special response
9		I imagine that would be somebody who is engaging in	9	team, because special response team's function is to
10		illegal activity.	10	secure the place. Once the place is secure, special
11	Q		11	response team leaves, and vice takes over.
12	`	blind pig?	12	Q What about at TMU?
13	Α	Engager, oh, gosh. Whoever seems to be running it, who is	13	A Support.
14		serving liquor, if anybody is working security functions,	14	Q So you observed a little bit of what's going on there?
15		checking IDs or allowing access, on that level.	15	A It depends on where you're at in the process. You could
16	0	So the people who go there simply to patronize the blind	16	be outside securing the perimeter. Like I said, as time
17	`	pig as customers of the blind pig usually aren't engagers;	17	goes on and you have those people, everybody is
18		is that right?	18	cooperating and what have you, like this, then you start
19	Α	That I do not know.	19	taking steps to bring things down.
20	Q	Then it says seizure of persons and evidence. Do you see	20	Q You have never observed any of the other officers saying
21	`	that?	21	to some of the people who were there, "Okay. You can
22	Α	Yes,	22	leave; we're not going to ticket you"?
23	Q		23	A I have never observed that.
24	_	all persons in the facility?	24	Q Has it also been your experience on blind pig raids that
25		Persons that were in I would imagine that had alcohol	25	vehicles, cars are impounded?
		B		verifices, cars are imposition.
		Page 39		Page 41
1		or drugs, what have you, yes, weapons.	1	Page 41 A Yes, I have seen that.
1 2	Q	or drugs, what have you, yes, weapons.  What about people who were standing around in the facility	1 2	A Yes, I have seen that.  Q What's your understanding of whose vehicle is impounded?
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#### 2:10-cv-10675-VAR-MKM Doc # 84-23 Filed 04/17/12 Pg 13 of 27 Pg ID 2112

### Gregory McWhorter, Sgt. 10/27/2011

12 (Pages 42 to 45)

		12 (1490)	, ~ =	1 00 45)
		Page 42		Page 44
1		loiterers."	1	going to take the east corner, You take this corner. You
2	Α	Okay,	2	secure this. You secure that," in that fashion.
3	Q	Have you seen that process take place, the photographing	3	Q Are those assignments written down, or is it just off the
4		of everyone who is there?	4	top of someone's head?
5	A	I believe that's conducted by vice.	5	MR. ASHFORD: Objection as to form. Go ahead,
6	Q	Have you seen it take place while on a blind pig raid?	6	THE WITNESS: When you look at a description of
7	Α	In the past, yes.	7	the location, where it's at, what streets it's on, the
8	Q	When you go to a briefing before the blind pig raid, are	8	alleyway that may be there, closest residential area, that
9		you given anything written?	9	type of aspect, when you look at that, then you do your
10	A	No.	10	assignments. So that may be written on a chalkboard.
11	Q	A search warrant is read to you, but you're not given a	11	BY MR, KOROBKIN:
12		copy?	12	Q Okay. So you have been at briefings where they write
13	Α	Right.	13	assignments on chalkboards?
14	Q	. , ,	14	A No. Layout of the building, yes. I wouldn't say
15		have a written plan for the raid?	15	assignments.
16		That I would not know, sir.	16	Q Okay. We have done enough talking about generalities with
17	Q	It doesn't appear to you, during the briefing, that	17	the blind pig raids. Let me bring you to the specific
18		someone is reading a plan?	18	event on May 31st, 2008, when there was a raid of the
19	A	I'm not understanding "a plan," sir.	19	Contemporary Art Institute of Detroit. Do you remember
20	Q		20	that event?
21	A	=	21	A Parts, vaguely,
22	Q	That's been signed by a judge?	22	Q Do you know who was the officer in charge of that raid?
23	A		23	A I'm not for sure. I believe it was Lieutenant Yost.
24	Q	Now, you also said information includes where the nearest	24	Q With vice squad?
25		hospital is?	25	A Yes.
		Page 43		Page 45
1	A	Page 43 Yes, sir.	1	· · · · · · · · · · · · · · · · · · ·
1 2	A Q	Yes, sir.	1 2	· · · · · · · · ·
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### Gregory McWhorter, Sgt. 10/27/2011

13 (Pages 46 to 49)

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	Page 46		Page 48
1	BY MR. KOROBKIN:	1	Q - and either the vice squad or Lieutenant Yost?
2	Q Okay. Well, who was the first team to go into the CAID?	2	MR. ASHFORD: Objection as to form.
3	A I do not recall.	3	THE WITNESS: When we had our briefing,
4	Q Was SRT there that night?	4	basically vice will concentrate on vice efforts. If they
5	A If they were there, I did not physically see them.	5	should need any help as far as manpower or what have you,
6	Q Because they were there before you got there?	6	then the request would be made to a sergeant. In other
7	A Yeah. They would have done their thing.	7	words, they need two police officers inside, in other
8	Q What about there were members of the vice squad at the	8	words, like this. I cannot recall if I received any
. 9	raid that night?	9	specific orders from Lieutenant Yost on this night,
10	A Yes.	10	BY MR, KOROBKIN:
11	Q About how many; do you know?	11	Q Did Lieutenant Yost lead the briefing before the raid?
12	A I do not recall.	12	A I remember her speaking. I don't know if she led it.
13	Q Were they dressed in police uniform?	13	Q Did she or anyone else at the briefing mention whether
14	MR. ASHFORD: Objection as to form.	14	people would be ticketed for loitering in a place of
15	THE WITNESS: Yes.	15	illegal occupation?
16	BY MR. KOROBKIN:	16	MR. ASHFORD: Objection, asked and answered.
17	Q And can you describe that uniform?	17	THE WITNESS: I do not recall.
18	A Vice would wear I think it's either a vest or jumpsuit	18	BY MR. KOROBKIN:
19	that had "Police" on it in the white letters. I remember	19	Q Did Lieutenant Yost or anyone else at the briefing mention
20	the vests, similar to narcotics' outfit, which is a dark	20	whether vehicles would be seized, towed, or impounded?
21	blue or yeah, blue uniform type or either Well, the	21	A Not that I know of.
22	UCs, of course, are in civilian clothes. Once the UCs	22	Q When you got to the CAID, had the raid already started?
23	have been brought out and cleared or what have you like	23	A Yes,
24	this, then their badge.	24	Q Okay. What had been done? What had been accomplished in
25	Q So they come back wearing their badge?	25	the raid by the time you got there?
•		<b></b>	
	Page 47		Page 49
1	Page 47 A Yes. Yeah.	1	Page 49
1 2	A Yes. Yeah.	1 2	Page 49  A 1 imagine all the people inside were secured and the vice
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### Gregory McWhorter, Sgt. 10/27/2011

14 (Pages 50 to 53)

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		Page 50		Page 52
1		posted at the door were okay.	1	A No.
2	Q	What do you mean "bringing people out"?	2	Q What was their job?
3	A	People that had been ticketed.	3	A To monitor people inside.
4	Q	So they had already started the processing of people	4	Q And what does monitoring the people entail?
5	Ā	Yes.	5	A Basically, once people have been secured, making sure they
6	Q	and those people were on their way out?	6	wait until whatever vice is going to do and then making
7	A	Yes.	7	sure, when they leave, they leave out and they clear the
8	Q	In this raid, do you know if everyone inside was ticketed?	8	building instead of gathering in front of the building.
9	-	I do not.	9	Q So if someone at the CAID had just sort of stood up and
10		And in this raid, do you know whether everyone who was	10	started to walk outside, would one of your officers stop
11	V	inside who had operated a car to get there that evening	11	them?
12		had their car impounded or towed?		
13	λ	That I do not know.	12	MR. ASHFORD: Objection as to form and
14	_		13	foundation.
	Q	, ,,	14	THE WITNESS: I would have no idea, sir.
15		engagers or loiterers that evening at the CAID?  No, I did not.	15	BY MR. KÖRÖBKIN:
16		•	16	Q To your knowledge, were people at the CAID free to leave
17		I assume you did not have need to draw your weapon that	17	before they had been ticketed?
18		night?	18	A I have no I don't know.
19		No.	19	Q I guess and I'm just trying to be as straight with you
20		Do you know if anyone on your team drew their weapon that	20	as I can. I'm confused about the monitoring role, what
21		night?	21	that entailed. Were they just supposed to report back to
22	_	No.	22	vice squad what they saw?
23	Q	By no, do you mean you don't know?	23	A No. Basically, when I say monitoring, police officers,
24		I don't know.	24	they're stationary. They're standing there, They're
25	Q	Or they did not do that?	25	posted at a certain post, what have you. And the person
			<del> </del>	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
		Page 51		Page 53
1	A	Page 51 I do not know.	1	Page 53
1 2	A Q	I do not know.	1 2	The state of the s
		I do not know.		Page 53 gets ticketed. The person is coming out. Okay? We make
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### Gregory McWhorter, Sgt. 10/27/2011

15 (Pages 54 to 57)

		13 (rages	, 54	U	3 311
		Page 54			Page 56
1	Q	Well, let's start with inside,	l	Α	Yes.
2	À		2	0	
3	Q		3		with SRT now. On those occasions when you went to a blind
4	À		4		pig raid and you did not carry a shotgun or rifle style
5		were gathering.	5		weapon, what kind of weapon, if any, did you carry?
6	Q		6	Α	My service weapon, my service pistol.
7	•	ticketed and left?	7	Q	And did you have that pistol drawn?
8	A		8	A	It's called a low ready.
9	Q		9	Q	Can you describe a low ready?
10	À	They were outside.	10	A	It's down below your waist and held with both hands so you
11	Q		11		can get a shooting platform in case a threat does engage
12	A		12		you. So it's pointed down the weapon is pointed down
13	Q		13		towards the ground.
14	`	they just sort of on-lookers?	14	Q	You said in case a threat does engage you?
15	A	Some were intoxicated, some were obscenities against the	15	A	Yes.
16		police. They were saying some of everything, I mean, you	16	Q	Would that be someone else with a weapon?
17		know, cursing, you know.	17	Ā	Yes.
18	0	Did anyone from the police department address those	18	Q	What about and I'm speaking now when you were with SRT
19	`	concerns or respond in any particular way?	19	_	and you did a blind pig raid and you came in at low ready,
20	Α	No. I just asked them would they please move along.	20		you or other officers with you would order people in the
21	Q		21		facility to get down on the ground; isn't that right?
22	-	Not really.	22		Yes, sir.
23	Q	Did you take any further action?	23	O	Is the fact that someone didn't instantly get down on the
24	-	No, sir. Just I had officers watch them to make sure they	24	~	ground a challenge such that you would go from a low ready
25		didn't throw any rocks or anything at us,	1		•
		didn't tinow any rocks of anything at us,	25		to pointing your weapon at a person?
******			25		to pointing your weapon at a person?
<i>y</i>		Page 55	25		Page 57
1	Q	Page 55 When you were at the briefing, did anyone say anything	1	A	Page 57 Be more specific, sir. Getting down?
1 2	Q	Page 55 When you were at the briefing, did anyone say anything that would lead you to believe there would be violence	1 2	A Q	Page 57  Be more specific, sir. Getting down?  So I understand you would go in, and you would tell
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### Gregory McWhorter, Sgt. 10/27/2011

16 (Pages 58 to 61)

		10 (1430)	,	CO 011
		Page 58		Page 60
1	Q S	o it would take something beyond just standing there	1	Q But it would take a threat in order to raise your weapon?
2		oking confused	2	A Yes, sir.
3		es.	3	Q And do you understand that as how you have been trained or
4	Q	to make you engage from a low ready to some other more	4	simply how you prefer to conduct yourself?
5		gressive stance?	5	MR. ASHFORD: Objection as to form,
6		es, hands in pockets, hands behind your back, you know,	6	THE WITNESS: Both I would say, sir, for me.
7		nning to a fixed object.	7	BY MR. KOROBKIN;
8		a fixed object that might be	8	Q Did you ever have a command position within SRT?
9		pole, get something between you and the officer.	9	A No.
10		Okay. What are the other types of positions with your	10	Q You do have a command position currently?
11		rvice weapon drawn other than low ready?	11	MR, ASHFORD: Objection to form.
12		he other types? I guess when you bring it up.	12	THE WITNESS: I'm a supervisor,
13		low, when you bring it up, is there a difference between	13	BY MR. KOROBKIN:
14		inging it up and pointing it at a particular person	14	
15		rsus just bringing it up and having it higher than a low		Q You're a supervisor?
16		isus just simging it up and naving it ingher than a low idy?	15	A Yes, sir.
17	164	•	16	Q If you observed one of your officers pointing a weapon
		MR. ASHFORD: Objection to the form.	17	without there being a threat present, would you discipline
18	J: C	THE WITNESS: Sir, you're asking me is there a	18	or counsel that officer?
19		ference between	19	A Afterwards, yes, sir.
20		IR. KOROBKIN:	20	Q And what would you tell that officer?
21		mean, you have characterized low ready as a particular	21	MR. ASHFORD: Objection. Strike that objection.
22		e of stance.	22	Go ahead. Go ahead and answer.
23		es, sir. Yes.	23	THE WITNESS: There's a form, basically,
24		ave you been trained in other types of stances besides	24	acquiring of a target.
25	low	v ready?	100	
		· · · · · · · · · · · · · · · · · · ·	25	BY MR. KOROBKIN:
		Page 59	45	Page 61
1	A No	Page 59		Page 61
1 2	A No	Page 59	1	Page 61 Q I'm sorry?
	A No	Page 59 o. o there's sort of low ready versus pointing your gun at		Page 61  Q I'm sorry?  A Acquiring of a target, yes, and basically
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A No Q So som  A Ye Q A Ye Q An unle A Id Q Ye pig A Ye Q Die A Ye Q Die facil	Page 59  b. there's sort of low ready versus pointing your gun at neone who is being aggressive —  cs. or something like that?  cs. or something like that?  cs. index are sort of the two options?  cs. ind have you been trained not to point your gun at someone ess they present a threat or challenge to you?  lo not understand the question.  cou said that when you were in SRT and you went on a blind raid —  cs. index are sort of the two options?  cs. index are sort of the two options?  cs. index you been trained not to point your gun at someone ess they present a threat or challenge to you?  con out understand the question.  con said that when you were in SRT and you went on a blind raid —  cs. index you believe at low ready?  cs. index you believe it was within your discretion to enter the lity pointing a weapon at the people inside?  MR. ASHFORD: Objection as to form.  THE WITNESS: That's what each officer would believe at the time. If I miss a threat, somebody else	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Page 61  Q I'm sorry? A Acquiring of a target, yes, and basically Q What do you mean by a form? I'm sorry. A Well, we have to write it out. Q You write it out? A Yeah, basically, the circumstances, what have you. You're not supposed to point your weapon. You know, you perceive. Then we get into what that officer perceived, and would I have seen it at the same time he had seen it, so it's Q But if the officer just said, "I didn't perceive anything in particular," I was just, you know A If he made those statements, then, yes, it would bedisciplinary. Q How long were you at the CAID that night? A I do not recall. Q By the time you left, was pretty much the whole operation complete? A Yes. Q So everyone who had been inside the CAID had left? A I was in a position outside, again, sir. I do not I can't account for who was left inside the building. Q Okay. I apologize if we have already cleared this up, but

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### Gregory McWhorter, Sgt. 10/27/2011

17 (Pages 62 to 65)

		1/ \rages	02	L (	5 65)
		Page 62			Page 64
1	Α	Going back and forth, sir.	1	Α	No frisk, yeah.
2	Q		2	0	
3	Ā		3	•	somebody, you would have attempted to record that on your
4		people who were ticketed were coming out, so that was in	4		log?
5		that haliway or however the entryway.	5	Α	_
6	Q	and the second of the second o	6	0	
7	`	the ground, sitting on the ground, waiting around?	7	•	long you were at the CAID?
8	Α	I saw sitting. A couple were standing,	8	Α	
9	0		9	Q	
10	`	they should be sitting, standing, or kneeling?	10	*	ordinance citations or vehicle impoundments you do on the
11	Α		11		log?
12	Q		12	Α	You said why?
13	Ā		13	Q	Yeah.
14		MR. KOROBKIN: I'll ask the court reporter to	14	Ā	So you can have an account of what you have done.
15		mark Exhibit 4,	15	Q	And why is that important?
16		(WHEREUPON, Deposition Exhibit 4	16	Ā	For a record,
1.7		was marked for identification.)	17	Q	Including perhaps testifying in court later on?
18	В,	Y MR. KOROBKIN;	18	A	Yes. I imagine, yes.
19	Q		19	0	So if you write out a misdemeanor ticket, you know at the
20	*	night of the raid; is that right?	20	V	time you're writing it out that you may be asked to
21	Α	Yes.	21		testify about that later on
22		In the middle of the front page it says "Recap of	22	A	Yes.
23	•	Activity." Do you see that?	23	0	in court?
24	Α	Yes.	24	~	And for that reason, would you write in your log
25	Q		25		the name of the person that you ticketed and what the
		(A)	<del> </del>		, , , , , , , , , , , , , , , , , , , ,
		Page 63			Page 65
1	Α		1		circumstances were?
2	Q	, , , , , , , , , , , , , , , , , , , ,	2	A	Yes. Yes.
3_		record the activity on your activity log that you engage	3		Is there any other document other than this log that you
4		in at the raid?	4		use to record your activities at the CAID raid that night?
5	A	Yes, by written form, yes, sir.	5	Α	There could be what vice had. I'm not sure,
6	Q	•	6	Q	But in terms of what you wrote
7		recorded here?	7	A	Right.
8	Α	2 2	8	Q	this is it?
9	Q	± · •	9	A	Yes.
10		something called "Ordinance Complaints"?	10	-	As you sit here today, do you remember writing any tickets
11	Α	•	11		at the CAID raid?
12	Q		12	A	Process, I think I signed a couple.
<b>1</b> 3		an ordinance?	13	Q	Is that different from writing the tickets?
_1.4	A	•	14	A	Doing the processing?
1.5	Q	yyyy	15	Q	Yeah.
16		Activity" area on your activity log if, during your shift,	16	A	Yes. It would be what was written out and then I signed.
17		you wrote out such an ordinance ticket?	17	Q	So someone else would write up the ticket, and you would
18	A	Yeah. I mean, it could have been missed.	18		sign it?
19	Q	10,	19	Α	Yes.
20		"Stop" and "Frisk"?	20	Q	And in what sense is that different from when you normally
21	A	Mm-hmm.	21		write out an ordinance ticket?
22	Q	. ,	22	A	I don't understand, sir.
23		didn't stop or frisk anybody at the raid?	23	Q	Well, by signing a ticket, aren't you saying that you
24	A	Yes.	24		observed the illegal activity that you're charging the
25	Q	That's what it means?	25		person with?

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### Gregory McWhorter, Sgt. 10/27/2011

18 (Pages 66 to 69)

		Page 66		Page 68
1	Α	That or my officers, yes.	1	A On some ords, I believe you do, yes.
2	Q		2	Q What about loitering in a place of illegal occupation?
3	À		3	A I'm not sure. I mean, they have it twenty-one days from
4	Q		4	the court (sic) or what have you like this, you know, from
5	`	relying on the information you got from your officers?	5	the court (sic) date that you have to appear.
6	Α	Yes.	6	Q Twenty-one days from what?
7	Ò		7	A The court date from the date I mean date of issuance
8	`	that in your activity log?	8	that you have to appear.
9	Á		9	Q Is there any way to get out of appearing in court once you
10	Q		10	get an ordinance ticket?
11		not?	11	A Get out of appearing?
12	Α	I may not, yes. As I see, I have raid processing for	12	Q Mm-hmm.
13		those hours.	13	A I mean, if it's for an equipment violation or whatever, if
1.4	Q	Why would you sign a ticket rather than whoever observed	14	you show that you've got certain tickets, and you show
15	`	the person doing the illegal activity sign the ticket?	15	that you have corrected the problem or what have you, yes.
16		MR. ASHFORD: Objection, no foundation.	16	Q For loitering in a place of illegal occupation?
17		THE WITNESS: I do not know, sir,	17	A I have no idea.
18	В	Y MR. KOROBKIN:	18	MR, KOROBKIN: I'll take these back. I'll ask
19	Q	Okay. After you sign an ordinance ticket, there are	19	the court reporter to mark Exhibit 5.
20	•	several copies of the ticket; is that right?	20	(WHEREUPON, Deposition Exhibit 5
21	A	Yes. Right.	21	was marked for identification.)
22	Q	One of them goes to the defendant, the person who is	22	BY MR. KOROBKIN:
23		accused of violating the ordinance?	23	Q I believe you have seen this, Sergeant McWhorter, but it's
24	Α	Yes,	24	a Detroit Police Department Crime Report, Report Number
25	Q	What happens to the other copies?	25	0805310096.1.
		Page 67		Page 69
1	A	Page 67 Usually they're kept. They're recorded and turned in.	1.	Page 69 A Mm-hmm.
1 2		_	1. 2	-
	Q	Usually they're kept. They're recorded and turned in.	1	A Mm-hmm.
2	Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.	2	A Mm-hmm. Q Can you identify this document?
2	Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?	2	A Mm-hmm. Q Can you identify this document? A Better known as a CRISNET report.
2 3 4	Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.	2 3 4	A Mm-hmm. Q Can you identify this document? A Better known as a CRISNET report. Q Did you have any part in writing this document?
2 3 4 5	Q A Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.  And then also one of the copies of the tickets goes to the	2 3 4 5	A Mm-hmm. Q Can you identify this document? A Better known as a CRISNET report. Q Did you have any part in writing this document? A No, I did not.
2 3 4 5	Q A Q A Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.  And then also one of the copies of the tickets goes to the court?  Yes, sir.  On its way to the court, do you happen to know whether it	2 3 4 5 6	A Mm-hmm. Q Can you identify this document? A Better known as a CRISNET report. Q Did you have any part in writing this document? A No, I did not. Q And this is the CRISNET report for the CAID raid; is that
2 3 4 5 6 7	Q A Q A Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.  And then also one of the copies of the tickets goes to the court?  Yes, sir.  On its way to the court, do you happen to know whether it passes through a prosecutor?	2 3 4 5 6 7	A Mm-hmm. Q Can you identify this document? A Better known as a CRISNET report. Q Did you have any part in writing this document? A No, I did not. Q And this is the CRISNET report for the CAID raid; is that right? A Yes, 5141 Rosa Parks. Q So if you would turn to page 3 and look way down at the
2 3 4 5 6 7 8	Q A Q A Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.  And then also one of the copies of the tickets goes to the court?  Yes, sir.  On its way to the court, do you happen to know whether it passes through a prosecutor?  I believe it should, sir, yes.	2 3 4 5 6 7 8	<ul> <li>A Mm-hmm.</li> <li>Q Can you identify this document?</li> <li>A Better known as a CRISNET report.</li> <li>Q Did you have any part in writing this document?</li> <li>A No, I did not.</li> <li>Q And this is the CRISNET report for the CAID raid; is that right?</li> <li>A Yes, 5141 Rosa Parks.</li> </ul>
2 3 4 5 6 7 8	Q A Q A Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.  And then also one of the copies of the tickets goes to the court?  Yes, sir.  On its way to the court, do you happen to know whether it passes through a prosecutor?  I believe it should, sir, yes.  Even an ordinance ticket?	2 3 4 5 6 7 8 9	<ul> <li>A Mm-hmm.</li> <li>Q Can you identify this document?</li> <li>A Better known as a CRISNET report.</li> <li>Q Did you have any part in writing this document?</li> <li>A No, I did not.</li> <li>Q And this is the CRISNET report for the CAID raid; is that right?</li> <li>A Yes, 5141 Rosa Parks.</li> <li>Q So if you would turn to page 3 and look way down at the bottom, it says Defendant 58, Robert Anthony Moglia?</li> <li>A Yes.</li> </ul>
2 3 4 5 6 7 8 9	Q A Q A Q	Usually they're kept. They're recorded and turned in.  Now, at a vice raid, if you write the ticket, do you keep a copy?  I believe vice had the tickets, sir.  And then also one of the copies of the tickets goes to the court?  Yes, sir.  On its way to the court, do you happen to know whether it passes through a prosecutor?  I believe it should, sir, yes.  Even an ordinance ticket?  Yes.	2 3 4 5 6 7 8 9	<ul> <li>A Mm-hmm.</li> <li>Q Can you identify this document?</li> <li>A Better known as a CRISNET report.</li> <li>Q Did you have any part in writing this document?</li> <li>A No, I did not.</li> <li>Q And this is the CRISNET report for the CAID raid; is that right?</li> <li>A Yes, 5141 Rosa Parks.</li> <li>Q So if you would turn to page 3 and look way down at the bottom, it says Defendant 58, Robert Anthony Moglia?</li> </ul>
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### Gregory McWhorter, Sgt. 10/27/2011

#### 19 (Pages 70 to 73)

		IF (Fages	, 70	C	.0 73)
		Page 70			Page 72
1		this charge?	1		occupation?
2	A	I don't recall. Yeah.	2	A	-
3	Q	And what did one of your officers tell you was the basis	3	Q	Did you observe anyone at the CAID involved in illegal
4		for the charge?	4		activity?
5	Α	Well, when you look at the ticket, you read the ticket,	5	Α	More specific, sir, please.
6		and you see.	6		Did you see anyone who you knew to be under the age of
7	Q	To your knowledge, did this person do anything other than	7		twenty-one in possession of alcohol?
8		To your knowledge, was this person doing anything other	8	A	That, I mean, there was a lot of people there, sir, so
9		than standing around at the CAID during the raid?	9		determining age
10	Α	That I do not know.	10	Q	Personal observation?
11		MR. ASHFORD: Objection to the form.	11	A	I do not recall.
12	B	Y MR. KOROBKIN:	12	Q	And were drugs being openly used?
13	Q	Next page, on page 4, Defendant 73, it's a little more	13	A	The smell of drugs were there,
14		than halfway down.	14	Q	You could smell them when you were there?
15	Α	Yes.	15	A	Yes.
16	Q	James Washington.	16	Q	What could you smell?
17	Α	Yes.	17	A	Marijuana.
18	Q	Do you remember James Washington?	18	Q	Any other illegal activity that you observed while you
19	A	No, I do not.	19		were there?
20	Q	, , , , , , , , , , , , , , , , , , , ,	20	Á	No. Except for public drunkenness, intoxication.
21		right?	21	Q	Public drunkenness, do you mean when they were outside on
22	A	Yes. That's what I believe, yes.	22		the street?
23	Q	And it doesn't mean that you necessarily saw the activity	23	A	Well, we had both, inside and outside.
24		that would have led to him being ticketed?	24	Q	If you're inside a building and you're drunk, is that
25	A	Correct, sir.	25		illegal?
		Page 71			Page 73
1	Q	If Mr. Washington had gone to court to challenge this	1	A	I guess it would be only if they are serving if they
2		ticket, would you have been called to testify?	2		don't have a liquor license to serve alcohol, but then
3	A	Probably myself and the officer.	3		again, like I say, I wasn't purview to that insight.
4	Q	Who would that officer have been?	4	Q	Well, if you're not - How about the person who is not the
5	A	I don't know at this time, sir.	5		one serving alcohol, the person who is just
6	Q	Would there have been a way to figure that out at the	6	A	Buying it?
7		time	7	Q	Well, intoxicated. Is being intoxicated but not on the
8	A	Yes.	8		street, is that illegal?
9	Q	who the officer would have been?	9	A	I'm not —
10	Å	Yes.	10	Q	Being publicly intoxicated, you mentioned that.
11	Q	How would that	11	A	I said inside and outside, yes. There were intoxicated
12		I guess whoever was handling vice processing at the time	12		people inside and outside when I got there.
13		or if it was one of my officers.	13	Q	-
14		So if it was one of your officers, he or she was supposed	14 -	A	,
15		to keep a record of the fact that he or she saw James	15		building, those that were inside the building, those that
16		Washington	16		were outside the building. That was probably part of that
17		Yes. They may have, yes.	17		crowd I mentioned before that were We had them across
18	Q	And other than you signing the ticket, is there any other	18		the street, you know. Please move on. They refused to
19		basis that you know of why James Washington was charged	19		move. That, yes.
0.0		with this offense?	20	Q	
20		AMP ACCUPANDS OF A COMME			intoxicated, is that by itself a crime to be intoxicated
21		MR. ASHFORD: Objection as to form.	21		•
21 22		THE WITNESS: That I do not, sir.	22		inside a building?
21 22 23	BY	THE WITNESS: That I do not, sir.  MR. KOROBKIN:	22 23	A	inside a building?  I did not observe them, you know, purchasing or drinking
21 22	BY Q	THE WITNESS: That I do not, sir.  MR. KOROBKIN:  And do you recall observing him involved in any other	22	A	inside a building?

#### 2:10-cv-10675-VAR-MKM Doc # 84-23 Filed 04/17/12 Pg 21 of 27 Pg ID 2120

### Gregory McWhorter, Sgt. 10/27/2011

20 (Pages 74 to 77)

	<del>_</del>	i	,
	Page 74		Page 76
1	Q The tickets that you signed that night, you didn't keep a	1	The fact that you signed a ticket doesn't cause
2	copy yourself; is that right?	2	you necessarily to think, "Oh, I must have seen James
3	A No, I did not.	3	Washington that night"?
4	Q Where did they go, vice squad?	4	A In that situation, you mean see him committing whatever he
5	A Vice squad, yes.	5	was ticketed for?
6	MR. KOROBKIN: I'll just say for the record that	6	Q Or seeing him, that you laid eyes on him at all.
7	we don't have copies of these tickets, and we have	7	MR. ASHFORD: Objection to the form.
8	requested them.	8	THE WITNESS: Okay. Again, I gave the ticket
9	BY MR. KOROBKIN:	9	back to the processing officer. They made sure he got the
10	Q How is it decided that you would sign the ticket for James	10	ticket.
11	Washington?	11	BY MR. KOROBKIN;
12	A Basically, I'm asked to review it. I'm asked, basically.	12	Q Right.
13	Q By who?	13	A When he was coming out, you know
14	A By one of the processing officers.	14	Q But you didn't meet him?
15	Q And would that processing officer be someone from the vice	15	A No.
16	squad?	16	Q Okay. Thanks, I think I'm done with this exhibit,
17	A Could be vice, could be my own guys. It all depends on	17	Let me ask the court reporter to mark as Exhibit
18	however they are using them. Like I said, if they need	18	6 this DPD Follow-Up Report. Have you seen this document?
19	extra manpower at the table or what have you, then I would	19	A Yes, sir.
20	send maybe one or two officers. Whatever they needed I	20	(WHEREUPON, Deposition Exhibit 6
21	would send to help them out.	21	was marked for identification.)
22	Q In order to sign James Washington's ticket, did you have	22	MR. KOROBKIN: Now, Jerry, do you need a copy?
23	to see James Washington. Was he there when you signed the	23	MR. ASHFORD: No.
- 24	ticket?	24	BY MR. KOROBKIN:
25	MR. ASHFORD: Objection to the form.	25	Q So this document basically is about the impoundment of
			Q so this document basically is about the impoundment of
	Page 75		Page 77
1	THE WITNESS: Yes.	1	
2	THE WITNESS: Yes. BY MR. KOROBKIN:	1 2	Page 77
3	THE WITNESS: Yes. BY MR. KOROBKIN: Q Did you hand him the ticket personally?		Page 77 vehicles; isn't that right?
2 3 4	THE WITNESS: Yes.  BY MR. KOROBKIN:  Q Did you hand him the ticket personally?  A No, I did not.	2	Page 77 vchicles; isn't that right? A Yes.
3	THE WITNESS: Yes.  BY MR. KOROBKIN:  Q Did you hand him the ticket personally?  A No, I did not.  Q You handed it back to a	2	Page 77 vehicles; isn't that right? A Yes. Q At a blind pig raid, when a vehicle is impounded, the
2 3 4 5 6	THE WITNESS: Yes.  BY MR. KOROBKIN:  Q Did you hand him the ticket personally?  A No, I did not.  Q You handed it back to a  A Processing officer.	2 -3 -4	Page 77  vehicles; isn't that right?  A Yes.  Q At a blind pig raid, when a vehicle is impounded, the person who is operating that vehicle that night is given
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2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: Yes.  BY MR. KOROBKIN:  Q Did you hand him the ticket personally?  A No, I did not.  Q You handed it back to a  A Processing officer.  Q - processing officer?  A Yes.  Q Who, again, could have been someone from the vice squad but may have been someone from another unit?  A Yes.  Q And then presumably that person handed James Washington the ticket?  A Yes. And then sent him out.	2 .3 4 5 6 7 8 9 10 11	vehicles; isn't that right?  A Yes.  Q At a blind pig raid, when a vehicle is impounded, the person who is operating that vehicle that night is given some sort of written notice; isn't that correct?  A I believe so, sir.  Q Did you sign any notice of impoundment forms or similar type forms at the CAID raid?  A I believe I did one.  Q You did one?  A Yes.  Q Let me ask you to look at line VEU66.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	THE WITNESS: Yes.  BY MR. KOROBKIN:  Q Did you hand him the ticket personally?  A No, I did not.  Q You handed it back to a  A Processing officer.  Q processing officer?  A Yes.  Q Who, again, could have been someone from the vice squad but may have been someone from another unit?  A' Yes.  Q And then presumably that person handed James Washington the ticket?  A Yes. And then sent him out.  Q So it's possible that you actually never saw James Washington that night?  MR. ASHFORD: Objection, speculation.  THE WITNESS: It's possible.  BY MR. KOROBKIN:  Q It wouldn't be inconsistent with having signed the ticket	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	vehicles; isn't that right?  A Yes.  Q At a blind pig raid, when a vehicle is impounded, the person who is operating that vehicle that night is given some sort of written notice; isn't that correct?  A I believe so, sir.  Q Did you sign any notice of impoundment forms or similar type forms at the CAID raid?  A I believe I did one.  Q You did one?  A Yes.  Q Let me ask you to look at line VEU66.  A Yes.  Q Which is on page 2.  A Yes.  Q No. It's on page 3.  A Yes.  Q Is that the one you signed?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: Yes.  BY MR. KOROBKIN:  Q Did you hand him the ticket personally?  A No, I did not.  Q You handed it back to a —  A Processing officer.  Q — processing officer?  A Yes.  Q Who, again, could have been someone from the vice squad but may have been someone from another unit?  A Yes.  Q And then presumably that person handed James Washington the ticket?  A Yes. And then sent him out.  Q So it's possible that you actually never saw James Washington that night?  MR. ASHFORD: Objection, speculation.  THE WITNESS: It's possible.  BY MR. KOROBKIN:  Q It wouldn't be inconsistent with having signed the ticket that you never actually saw him?  MR. ASHFORD: Objection to the form.  THE WITNESS: You lost me again.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	vehicles; isn't that right?  A Yes.  Q At a blind pig raid, when a vehicle is impounded, the person who is operating that vehicle that night is given some sort of written notice; isn't that correct?  A I believe so, sir.  Q Did you sign any notice of impoundment forms or similar type forms at the CAID raid?  A I believe I did one.  Q You did one?  A Yes.  Q Let me ask you to look at line VEU66.  A Yes.  Q Which is on page 2.  A Yes.  Q No. It's on page 3.  A Yes.  Q Is that the one you signed?  A Yes.  Q Are you familiar with something called a tow card or an impound card?
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### Gregory McWhorter, Sgt. 10/27/2011

#### 21 (Pages 78 to 81)

			,	55 (1)
		Page 78		Page 80
1	Q	Can you describe the difference?	1	A I do not recall where his vehicle was parked at, if it was
2	Α	The tow card is a three-by-five, three-by-seven card,	.2	in a no parking zone or what have you. I do not recall.
3		basically just has all the information of the owner, the	3	Q As the officer who signs the tow card, is it your
4		vehicle, and the contents.	4	responsibility to make an inquiry as to whether it's
5	Q	And what happens with the tow card?	5	justified to tow that car?
6	Α	A copy is given to the tow truck operator.	6	A Yes, I do not recall. Like I say, he could have been
7	Q	And you keep a copy for yourself?	7	parked in a no towing zone I mean a no parking zone.
8	Α	Yes. In this case we would have -	8	Q Right,
9		MR. ASHFORD: Objection as to form.	9	A He could have been in the fire lane. I can't recall
10		THE WITNESS: We would have turned it over to	10	whether he was or not.
11		vice,	11	Q I know you can't remember this specific incident. If you
12	В	Y MR. KOROBKIN:	12	were asked to fill out a tow card
13	Q	Does the same officer who writes the notice of impoundment	13	A Yes.
14		that is given to the operator of the vehicle also write	14	Q do you just fill it out, or at the time you're filling
15		the tow card?	15	out the tow card do you know why that person's car is
16	A	He can. It doesn't have to be.	16	being towed?
17	Q	Doesn't have to be? Okay.	17	A Yeah. You probably do, yes.
18		And with the notice of impoundment form, you say	18	Q You do know why?
19		you signed one of those, right?	19	A Yes.
20	Α	Yes.	20	Q It's just that you can't, as you sit here today, remember
21	Q	• • • • • • • • • • • • • • • • • • • •	21	why this particular person's car was being towed?
22	A	Oh, no. I can't recall whether I signed a notice of	22	A Yes, sir. Yes, sir.
23		impoundment. For this particular person?	23	Q Is there any recording, written recording made of what
24	Q		24	that reason was? Is it on the tow card?
25	A	Yeah, I can't recall whether I did or not.	25	A Why is it being held?
		Page 79		Page 81
1	Q	Okay. What was it that you were recalling just now?	1	Q Yeah. Why is it being towed?
2	A	•	2	A I'm not sure. There's a check box on there, but I can't
3	Q	A tow card?	3	recall exactly what it says.
4	A	Yeah, tow card.	4	Q Is there someone other than you who authorized the towing
5	Q	And you're pretty sure you did fill out one of those?	5	of this car?
6	A		6	A Yes, it would be.
7	Q	And are you pretty sure it was for this individual or	7	Q Who was that?
8	A	Yes. He was ticketed, I believe.	8	A That would probably be vice,
9	Q		9	Q Would that have been Lieutenant Yost?
10	A		10	A Or a sergeant,
11	Q		11	Q Or a sergeant?
12	A		12	A Or a sergeant.
13	Q	,	1.3	Q Could an officer authorize the towing of a car, or would
14_		also filled out the tow card?	14_	it have been a sergeant or a lieutenant?
15	Α		15	MR. ASHFORD: Objection as to form.
16	Q		16	THE WITNESS: In that situation, sir, it would
17	A	* **	17	have been like I said, if he was parked in a fire lane,
18	Q		18	you know, if an officer did discover that, then he could
	•	loitering in a place of illegal occupation, if that person	19	very well tow the car. He doesn't have to wait for a
19	•		1	
20	•	operated a vehicle that night and had it parked near the	20	sergeant just as long as he has valid authorization I
20 21		operated a vehicle that night and had it parked near the CAID, that person's vehicle is also towed?	21	mean a valid reason to do such.
20 21 22	A	operated a vehicle that night and had it parked near the CAID, that person's vehicle is also towed?  That I do not know.	21 22	mean a valid reason to do such. BY MR. KOROBKIN:
20 21 22 23	A Q	operated a vehicle that night and had it parked near the CAID, that person's vehicle is also towed? That I do not know. For Jason Wysocki, who is the person listed on line 66—	21 22 23	mean a valid reason to do such.  BY MR. KOROBKIN:  Q But as far as you know, there was no decision made by
20 21 22	A	operated a vehicle that night and had it parked near the CAID, that person's vehicle is also towed?  That I do not know.  For Jason Wysocki, who is the person listed on line 66—Yes, sir.	21 22	mean a valid reason to do such. BY MR. KOROBKIN:

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### Gregory McWhorter, Sgt. 10/27/2011

22 (Pages 82 to 85)

		(-4-505	,	00 007
		Page 82		Page 84
1	Α	No, that I do not know.	1	was?
2	Ç	How about the tickets that you - The ticket that you	2	A No, sir. When I got there, cars were parked everywhere,
3		signed for loitering in a place of illegal occupation	3	on the grass, in the street, in the alley. I mean,
4	Α	Yes.	4	wherever a place could be to park, people were parked. So
5	Q		5	we had double rows of cars, that I do remember, on the
6	`	written?	6	grass, fire hydrant, lining both sides of the street.
7	A	There is a sergeant at that processing table that should	7	Q Do you know what a person has to do to get their car back
8		be monitoring activity of that processing to make sure,	8	after it's towed at a blind pig raid?
9		you know, the people getting ticketed should be ticketed,	9	A Probably locate the tow company and pay whatever fine
10		that type of thing.		
11	0	And who was it that night?	10	there was, and that would be it.
12		I don't know. I really don't.	11	Q Do you know of any theory under which the City or the
13	_		12	County claims to now own the car through a forfeiture
14	Q		13	proceeding as a result of being towed at a blind pig?
15	Λ	That I don't know, sir. I don't know their places. In	14	MR. ASHFORD: Objection as to form.
		correlation to where I would have been, even when I	15	THE WITNESS: That I don't know.
16		stepped inside, that processing table could have been at	16	BY MR. KOROBKIN;
17	_	the other end of the building.	17	Q You're familiar with forfeiture, the concept?
18	Q	But by "it would have been a sergeant," you mean a	18	A Yes, under certain circumstances, dealing with
19		sergeant or a lieutenant but probably not an officer?	19	prostitution, yes, that type of thing, but I don't know
20	A.	Right. Exactly.	20	about a blind pig.
21		MR. KOROBKIN: And I would just add for the	21	Q Operation Push-Off, is that still something that the
22		record, just as we haven't received the copies of the	22	police department does?
23		loitering tickets that were given back to vice, we haven't	23	A I haven't heard that term in a while,
24		received copies of either the tow cards or the notices of	24	Q But that was a forfeiture-type situation, right? You
25		impoundment that were given that may have been given back	25	don't know?
		Page 83		Page 85
1		to vice.	1	A Yeah.
2	В	Y MR. KOROBKIN:	2.	Q But as far as you know, at the CAID, that's not what was
3	O		3	going on with the cars?
4		illegal occupation and impounding the vehicles of the	4	A Not that I knew of, sir.
5		people who were there?	5	Q And do you know how much someone would have to pay to get
6	A		6	their car back?
7	Q		7	A No, sir.
8	-	I guess if their vehicle was discovered that it was parked	8	,
9	7 %	in the alleyway, if it was parked in a place it shouldn't	9	C
10		have been parked. I'm not sure of the whole circumstance,	10	money goes, who gets it?  A I do not know, sir.
11		sir. Vice would Like I said, that would be a vice	11	•
12		issue.	12	On the blind pig raids that you have been on, have you
13	Q			ever heard any comments or remarks by other officers
	•		13	regarding - Sorry. Have you ever heard any remarks or
14		legal spot on the street or in a parking lot	14	
15	A	•	15	cars today," commending other officers for having had a
16	Q	•	16	lot of cars impounded or towed?
17	Α	Me personally? My opinion? I don't see why it would be	17	A No, sir,
18	_	towed, sir.	18	Q So it hasn't been your experience that officers are
19	Q	• • • • • • • • • • • • • • • • • • • •	19	encouraged to tow as many cars as they possibly can?
2.0		presumably you knew why that car was being towed?	20	A Not at a unit that I've been at, sir.
21		Yes, sir.	21	MR, KOROBKIN: Okay, 1 think I can take this
22	Q	And you believe that it was being towed for a reason other	22	back. I'm going to ask the court reporter to mark Exhibit
23		than simply the person drove it there?	23	7.
24		Yes,	24	(WHEREUPON, Deposition Exhibit 7
25	Q	But you just don't have any memory of what that reason	25	was marked for identification.)

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### Gregory McWhorter, Sgt. 10/27/2011

### 23 (Pages 86 to 89)

		Page 86		Page 88
1	В	Y MR. KOROBKIN:	1	Q They don't get the car back?
2	Q	I'm handing you something that's going to take you back in	2	A It's evidence, Yes,
3		time a little bit. It's called "Confirmation Report on	3	Q Okay. Now, you mentioned this line, "Value of Property
4		Probationary Police Officer."	4	Recovered," and it says "99,518.00." Do you have any idea
5	A	Okay.	5	what that means?
6	Q	To your knowledge, have you ever seen this?	6	A It looks like a total.
7	Α	No.	7	Q Yeah. But you don't know what that refers to?
8	Q	Okay. It's dated 1994; is that correct?	8	A No, sir.
9	Α	Yes, sir.	9	Q And I know this is thinking back for a ways, but as far as
10	Q	It's marked with your name, and it appears to be some sort	10	you know, no one ever commended or praised you for
11		of report about you; is that correct?	11	recovering property valued at \$99,000?
12	Α	Confirmation report Yes, I imagine, if you're	12	A No, sir. I wish.
13		probationary.	1.3	Q You didn't get a cut of that, did you?
14	Q	And does probationary mean you have only been working with	14	A No. No, sir.
15		the department for a short period of time?	15	Q All right. Let me take this back then. Thank you.
16	A	Yes, sir.	16	Do you know of any statistics similar to those
17	Q	And at the end of the probationary period, they evaluate	17	that are still kept within the department?
18		how you have done?	18	A That I do not know.
19	A	Yes, sir.	19	Q As a supervisor, do you keep statistics on the officers
20	Q	And based on that evaluation, decide whether to make you a	20	under your command?
21		permanent hire?	21	A No, I do not.
22		I believe that's the way the system goes.	22	Q Does anyone?
23	Q	Right. So these statistics along the middle of the page,	23	A Yeah. Usually they have what they call a monthly sheet.
24		can you take a look at those just for a second so you're	24	This monthly sheet is captioned, I believe, every
25		familiar with them?	25	twenty-eight or thirty days, and that sheet is completed
		Page 87	,	Page 89
1	A		1	Page 89
1 2	A Q	Okay.	1 2	Page 89
	_	Okay.  Does that appear to be statistics about what you have done		Page 89 by the officer according to their activity log which is kept daily, and it's a summary of what they have done for
2	_	Okay.	2	Page 89
3	Q	Okay.  Does that appear to be statistics about what you have done as an officer since you joined between when you joined	2	Page 89  by the officer according to their activity log which is  kept daily, and it's a summary of what they have done for the month. But that sheet is just collected by
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### Gregory McWhorter, Sgt. 10/27/2011

24 (Pages 90 to 93)

	zi (rages	, , ,	CO 331
	Page 90		Page 92
1	Q Does that monthly tally sheet include any dollar figure in	1	Property Value" line?
2	terms of the value of property recovered or taken?	2	A Yeah, if they get in touch, yes. It's broken down by the
3	A The only way you get a dollar figure is when you call that	3	day, too, so you have thirty days on there, on the sheet
4	vehicle in to what they call telephone crime reporting,	4	itself. So you capture If you did something on the
5	and they may have a sheet up there that tells you what a	ł	
6	2004 Lincoln Continental — the average. Then they would	5	5th, it goes all the way across, and you have certain
7		6	categories, how many arrests you made, how many tickets
8	put because on your activity log, as you see, there's a	7	you wrote, how many vehicles were recovered, you know, et
	spot for that, you know, or what have you, value of	8	cetera, et cetera, value of stolen recovered vehicle, and
9	property recovered or whatever like this.	9	then you columnize it and add everything at the bottom.
10	Q There is?	10	Q Now, if the vehicle is going back to the owner at some
11	A As far as I know. Miscellaneous, yeah. "All Recovered	11	point, do you still try to get the value of that vehicle?
12	Property Value." Look at the bottom on the first column	12	A I don't believe so, sir.
13	there.	13	Q So it's really only if it's being forfeited to the City or
1.4	Q There you go. So if you recover if an officer filling	14	the government?
15	out the activity log had during that shift recovered	15	A I'm not sure. I'm not sure, sir.
16	property, they're supposed to put an estimate of what that	16	Q Did anything strike you as unusual about the raid at the
17	property is worth?	17	CAID as opposed to other blind pig raids you have been on?
18	MR. ASHFORD: Objection as to form.	18	MR. ASHFORD: Objection as to form,
19	THE WITNESS: If they can get in touch with TCRU	19	THE WITNESS: No.
20	Now, getting in touch with them at 2:00 in the morning	20	BY MR. KOROBKIN:
21	might be but they would have at least tried.	21	Q Did you ever discuss the CAID raid with any other officer
22	BY MR. KOROBKIN;	22	after it occurred, including informally?
23	Q TCRU stands for what?	23	A That I do not recall, sir.
24	A Telephone crime reporting telephone crime reporting	24	Q Did you ever hear anyone mentioning to you or discussing
25	unit.	25	with you that it made the news, that it was the subject of
		ļ	
	Page 91		Page 93
1	Page 91	-	Page 93
1	Q If you cannot get in touch with them, are you supposed to	1	dispute or controversy?
2	Q If you cannot get in touch with them, are you supposed to follow up later, or does that just sort of get	2	dispute or controversy?  A I found out the same time the media released it.
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2 3 4	Q If you cannot get in touch with them, are you supposed to follow up later, or does that just sort of get MR. ASHFORD: Objection as to form.  THE WITNESS: It doesn't I don't know of any	2 3 4	dispute or controversy?  A I found out the same time the media released it.  Q You know Lieutenant Yost personally?  A Professionally.
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#### 2:10-cv-10675-VAR-MKM Doc # 84-23 Filed 04/17/12 Pg 26 of 27 Pg ID 2125

### Gregory McWhorter, Sgt. 10/27/2011

25 (Pages 94 to 97)

	20 (1490)	,	CO 517
	Page 94		Page 96
1	A Yes.	1	Q It is marked Second Amended Complaint and Jury Demand,
2	Q And have you ever been the subject of the complaint?	2	Jimmie Eaton and Martez Topp versus, and then it lists a
3	A In my police career?	3	number of police officers.
4	Q Yes.	4	A Okay.
5	A Yes.	5	Q Does this refresh your recollection about a lawsuit?
6	Q About how many times?	6	A Yes.
7	A Once or twice.	7	Q Okay. Can you tell me what happened? What were the
8	Q And of all the citizen complaints that have been filed	8	events that led up to this lawsuit?
9	against you, have they ever been sustained, or has	9	A It was involving an officer
10	improper conduct on your part ever been found?	10	
11	A No, sir.	i	MR. ASHFORD: Object to form. Go ahead.
12	•	11	THE WITNESS: It was involving an officer who
	Q Have any lawsuits been filed against you for your actions	12	was assigned out from my - from tac mobile to, if I
13	while on duty or in your capacity as a police officer?	13	remember correctly, vice. Okay?
14	A I believe so, sir.	14	BY MR, KOROBKIN:
15	Q How many?	15	Q Which officer was that? Was that Woods, or was that -
16	A Maybe two, three I can remember.	16	A No. Monica Evans.
17	Q Okay. Can you describe those two or three, what the	17	Q That was Evans. Okay. Assigned out to vice from tac
18	allegations were against you?	18	mobile?
19	MR. ASHFORD: If you know.	19	A Tac mobile.
20	THE WITNESS: Pardon me?	20	Q Okay.
21	MR. ASHFORD: If you know.	21	A She, in short, she appeared one day back at the command, I
22	THE WITNESS: Oh, yeah. I think one was	22	guess to do a report, and somehow, when she typed this
23	wrongful death, but that's when I was on special response	23	report or what have you like this, I guess other officers
24	team dealing with a female that was mentally had mental	24	were making fun of her over some actions that had
25	issues.	25	happened, I guess, dealing with the plaintiffs or what
Ann advanced a real	Page 95		
1	Page 95		Page 97
1	BY MR. KOROBKIN:	1	Page 97 have you like this. I don't know. Some officer got a
2	BY MR. KOROBKIN:  Q Her family sued you?	2	Page 97 have you like this. I don't know. Some officer got a copy of this report, and I think it was surrounding
3	BY MR. KOROBKIN: Q Her family sued you? A Her family, yes. Not me, but as a group, us.	2 3	Page 97  have you like this. I don't know. Some officer got a copy of this report, and I think it was surrounding whether she fired her weapon or ran in cowardice or what
2 3 4	BY MR. KOROBKIN: Q Her family sued you? A Her family, yes. Not me, but as a group, us. Q You were among the people who were sued?	2 3 4	Page 97  have you like this. I don't know. Some officer got a copy of this report, and I think it was surrounding whether she fired her weapon or ran in cowardice or what have you like this, and that was it. I was supposedly her
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### Gregory McWhorter, Sgt. 10/27/2011

26 (Pages 98 to 101)

		26 (Pages	98	to 101)
		Page 98		Page 100
1		to her?	1	people or mentally ill people and this lawsuit that we
2	A	Yes. She came in and said	2	were just discussing, can you think of any other lawsuits
3	Q	Right.	3	where you have been named as a defendant?
4	A	Yes, yes.	4	A No, I cannot.
5	Q	When you described that, you referred to several officers	5	Q If I can just ask you to bear with me for one second.
6		either I forget what you said making fun of her,	6	A Okay.
7		ridiculing her, or something like that?	7	(Discussion off the record.)
8	A	Right.	8	MR. KOROBKIN: Back on the record for just a
9	Q	Were those officers, to your understanding, officers from	9	second. I have nothing further.
10		the vice squad?	10	MR. ASHFORD: I have no questions. Thank you.
11	A	No. I believe they were from tac mobile. The setting was	11	(Deposition concluded at 2:50 p.m.)
12		- she was at tac mobile making out this report.	12	( 1
13	Q		13	
14	Α	Do you understand what I mean? She came she left vice.	14	
15	Q		15	
16	Α	Didn't make the report out there and came for whatever	16	
17		reason, I don't know, computers were down or whatnot	17	
18		the state of the s	18	
19		idea she was even in the building until afterwards. I	19	
20		don't know I don't even know the time gap that it took	20	
21		• · · · · · · · · · · · · · · · · · · ·	21	
22		supervisor, she said, "I believe somebody tampered with my	22	
23		report." She didn't have very she was very sketchy on	23	
24		details. I asked her who, what, and she gave me "they,"	24	
25		you know, those type of answers. I, in turn, verbally	25	
		,	25	
<del>,</del>			23	Page 101
1		Page 99		Page 101
1 2		Page 99 told my commanding officer.	1 2	STATE OF MICHIGAN)
1 2 3	Q	Page 99 told my commanding officer. And who was your commanding officer that you told?	1 2 3	<del>-</del>
2	Q A	Page 99 told my commanding officer. And who was your commanding officer that you told? I believe it was Lieutenant Mayfield.	1 2	STATE OF MICHKIAN) ) SS. COUNTY OF OAKLAND)
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2 3 4 5 6	Q A Q	Page 99 told my commanding officer. And who was your commanding officer that you told? I believe it was Lieutenant Mayfield. Do you know if any internal investigation took place regarding this incident? That I don't know. I was deposed.	1 2 3 4 5	STATE OF MICHIGAN) ) ss. COUNTY OF OAKLAND)  I, Denise Moorfoot, a Notary Public in and for the above county and state, do hereby certify that the
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### EXHIBIT 23

#### 2:10-cv-10675-VAR-MKM Doc # 84-24 Filed 04/17/12 Pg 2 of 25 Pg ID 2128

Anthony Potts, Sgt. 10/4/2011

1	IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN
2	SOUTHERN DIVISION
3	IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER, ANGIE WONG, JAMES WASHINGTON, NATHANIEL
4	PRICE, JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE,
5	DARLENE HELLENBERG, THOMAS MAHLER, and LAURA MAHLER,
6	Plaintiffs,
7	Hon. Victoria A. Roberts Magistrate Judge Mona K. Mazoub
8	-vs- No. 10-07-10675
9	CITY OF DETROIT, a municipal corporation, Lieutenant VICKI YOST,
10	a Detroit police officer, in her individual capacity, Sergeant DANIE
11	BUGLO, a Detroit police officer, in his individual capacity, Sergeant G. MCWHORTER,
12	a Detroit police officer in his/her individual capacity, Sergeant A. POTTS,
13	a Detroit police officer, in Mis/her individual capacity, Sorgeon CHARLES TURNER,
14	a Detroit police officer in his individual capacity, Officer N BROWN, a Detroit police officer, in his/ner individual capacity, Officer
15	officer, in his/ler lid vidual capacity, Officer -
16	B. COLE, a Detroit police officer, in his/her individual capacity, Officer TYRONE GRAY, a
17	Detroit police officer, in his individual capacity Officer SHERON JOHNSON, a Detroit police officer, in her individual capacity,
18	Officer & SINGLETON, a Detroit police officer, in his/her individual capacity, and UNNAMED
19	DETROIT POLICE OFFICERS, in their individual capacities
20	
21	Defendants.
22	DEPOSITION OF SERGEANT ANTHONY POTTS
23	TUESDAY, OCTOBER 4, 2011
24	TOHODERT, OCTODER T, ZOTT
25	



#### 2:10-cv-10675-VAR-MKM Doc # 84-24 Filed 04/17/12 Pg 3 of 25 Pg ID 2129

### Anthony Potts, Sgt. 10/4/2011

2 (Pages 2 to 5)

	Page 2		Dage 4
	Page 2		Page 4
1		1	Detroit, Michigan
2 3	Deposition of SERGEANT ANTHONY POTTS, taken in the above-entitled cause before Denise Moorfoot,	2	Tuesday, October 4, 2011
4	(CSR-2275), Court Reporter and Notary Public for the County	3	1:40 p.m.
5	of Oakland, State of Michigan, at 660 Woodward, Suite 1650,	4	
6 7	Detroit, Michigan, on Tuesday, October 4, 2011, commencing at or about the hour of 1:40 p.m.	5	ANTHONY POTTS
8	APPEARANCES:	6	was thereupon called as a witness herein and, after
9		7	having been first duly sworn to tell the truth, was
10	MR, DANIEL S, KOROBKIN	8	examined and testified as follows:
1.0	American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue	9	
11	Detroit, Michigan 48201	10	EXAMINATION
	-and-	11	BY MS. JAMES:
12	MR. WILLIAM H. GOODMAN MS. KATHRYN BRUNER JAMES	12	
13	Goodman & Hurwitz, P.C.	13	Q Good afternoon, Sergeant Potts. I'll already introduced myself off the record, but I'll do so again on the record.
	1394 E. Jefferson Avenue		I'm Kathryn James. This deposition is for a civil rights
14	Detroit, Michigan 48207 Appearing on behalf of the Plaintiffs.	14	
15	Appearing on behan of the Fiantinis.	15	case pending in the Eastern District of Michigan. I
	MR, JERRY ASHFORD	16	represent eight people who were ticketed at the
16	City of Detroit Law Department 660 Woodward Avenue	17	Contemporary Art Institute of Detroit in May of 2008 and
17	1650 First National Building	18	four people who weren't present there but whose cars were
	Detroit, Michigan 48226	19	seized, and I'm going to be asking you some questions
18 19	Appearing on behalf of the Defendants,	20	about that incident and a little bit about your background
20		21	and training and so forth.
21		22	I'm going to ask you Well, first off, have
22		23	you ever been deposed before?
23 24		24	A Yes.
25		25	Q You have been. Do you know roughly how many times?
·	Page 3		Page 5
· .	Page 3		Page 5
1	Page 3	1	A In twenty-four years, I believe this is probably my third
2		1 2	A In twenty-four years, I believe this is probably my third or fourth.
	TABLE OF CONTENTS	2 <u>3</u>	A In twenty-four years, I believe this is probably my third or fourth.      Q So given that you have done this before, you have some
2 3 4	TABLE OF CONTENTS WIFNESS PAGE	2	A In twenty-four years, I believe this is probably my third or fourth.      Q So given that you have done this before, you have some sense of the ground rules, but I'll just remind you of a
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# Anthony Potts, Sgt. 10/4/2011

3 (Pages 6 to 9)

	3 (Pages	٠	LO 9)
	Page 6		Page 8
1	A No.	1	Q Okay. Let me also ask you, if there was some training
2	(WHEREUPON, Deposition Exhibit 1	2	that you received where you wanted to refer back to
3	was marked for identification.)	3	something that was not given to you and was not yours to
4	BY MS. JAMES:	4	keep, do you know whether you could ask someone, "Could I
5	Q Were you asked to bring anything with you today?	5	see that video again? Could I see that manual again?" Do
6	A No.	6	you know whether you would have an opportunity to do that?
7	Q No? Okay.	7	A Yes.
8	MS. JAMES: Jerry, I'm going to reserve my right	8	Q And do you know, who would you ask to see those materials
9	to recall this witness in the event that any of the	9	if you wanted to?
10		10	A Depending on the material.
11	-	11	Q I see, Does it depend on who gave you the training?
12		12	A Right. There are a lot of outside contractors that will
13		13	come in and will train department members. Sometimes it's
14		14	to train the trainer. Sometimes it's exclusive to that
15		15	particular company to come in and train, so, I mean, it
16	- '	16	varies.
17		17	Q Okay. And did you review any documents in preparation for
18		18	today's deposition?
19	-	19	A No.
20		20	
21		21	
22		22	MR. ASHFORD: Can we go off the record a moment?  Can we go off the record?
	•	23	MS. JAMES: Sure.
23 24		24	(Recess taken from 1:46 p.m. to 1:49 p.m.)
	, <u>, , , , , , , , , , , , , , , , , , </u>	25	,
25	your personal files, or do you know who you could ask to	45	MR. ASHFORD: Can you reask the question,
	······································		
	Page 7		Page 9
1	Page 7 obtain materials, training materials described there?	1	
1 2		1 2	Page 9
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### Anthony Potts, Sgt. 10/4/2011

#### 4 (Pages 10 to 13)

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		Page 10			Page 12
1	Α	Anthony Glenn Potts, Badge S499.	1	Q	Congratulations.
2	Q	Thank you. What is your current department or unit within	2	A	Thank you.
3	•	the Detroit Police Department?	3	Q	What's your master's?
4	Α		4	Ā	Homeland security.
5	Q	And sergeant is your rank, right?	5	0	
6	À	Correct,	6	Ā	
7	Q	How long have you been with the special response team?	7	Q	
8	Ā		8	-	before you began working for the Detroit Police
9	Q		9		Department?
1.0		SRT?	10	Α	I was a librarian assistant right out of high school.
11	Α	Yes.	11	Q	
12	Q	When was the beginning of your most recent assignment to	12	Ā	
13		that unit?	13	Q	The state of the s
1.4	Α	I have been back for about approximately two years,	14	A	
15	Q	What unit were you in on May 31st, 2008?	15	Q	
16	Α	I was assigned to the tac mobile unit.	16		assistant position?
17	Q	Can you tell me where you went to high school?	17	Α	Got another position. I was hired at MCI
18	Α	Detroit Public Schools, high school. Osborn, Laura F.	18		Telecommunications,
19		Osborn.	19	Q	So that would have been roughly in 1986?
20	Q	What year did you graduate?	20	A	Yes.
21	Α	1983.	21	Q	What did you do there?
22	Q	And did you receive any post high school education?	22	A	Telemarket sales, a little bit of computer programming.
23	A	Yes.	23	Q	And how long were you there?
24	Q	Where?	24	Α	Approximately two maybe about two years.
25	Α	Wayne County Community College, Wayne State University,	25	Q	And when did you leave MCI?
		Page 11			Page 13
-,		Page 11			Page 13
1		University of Phoenix, Siena Heights University.	1	A	I got laid off.
2	Q	University of Phoenix, Siena Heights University.  And did you receive degrees from all of those	2	Q	I got laid off. Okay. What was your next job?
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### Anthony Potts, Sgt. 10/4/2011

#### 5 (Pages 14 to 17)

		J (rages	ala "Oi		± 1 )
		Page 14			Page 16
1	Α	No.	1	Q	And where did you go following 2001?
2	Q		2		I was promoted to investigator, and I was assigned to the
3	•	Describe to me what type of training you	3		went back to the 13th Precinct.
4		received when you were first hired by the police	4	Q	TT 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
5		department. Did you go to a police academy?	5	A	Until 2004.
6	Α		6	Q	
7	o		7	À	Then I was promoted to sergeant, and I was sent to the 7th
8	~	I want to say it was close to a year. I would say nine	8		Precinct.
9		months, maybe just shy of a year.	9	0	And how long were you a sergeant at the 7th Precinct?
10	Q	Okay. And when you attend police academy, is that full	10	À	I was assigned there for a little over a year. That
11	`	time?	11		precinct closed down. They started consolidating
12	Α	Yes.	12		precincts into districts, and then I was reassigned to the
13	Q	And I realize this was a long time ago, and you won't	13		11th Precinct which at that time was called Northeastern
14		remember all of the specifics, but can you tell me	14		District.
15		generally what type of training you receive at the police	15	Q	How long were you at the Northeastern District?
16		academy?	16	Α	Let's see. I was in Northeastern District for
17	A	Basic police training. I mean, the essentials, traffic,	17		approximately about a year and a half,
18		law, physical fitness.	18	Q	So does that bring us through '06 or '07?
1.9	Q	When you graduate from the police academy, do you receive	19	Α	I would say probably '07.
20		any kind of scores or grades?	20	Q	And where did you go next?
21	A	No.	21	A	From Northeastern, I went to tactical mobile unit as a
22	Q	It's pass/fail?	22		sergeant.
23	Α	Correct.	23	Q	And was that your last assignment before transferring back
24	Q	And you passed?	24		to SRT where you are now?
25	A	Yes.	25	Α	Correct.
2,5	4 %	1 60.		7.	Contour
		Page 15			Page 17
		Page 15			Page 17
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### Anthony Potts, Sgt. 10/4/2011

#### 6 (Pages 18 to 21)

	o (ragen		CO 21)
	Page 18		Page 20
1	doing and what you were trained on in May 2008, so let's	1	supporting vice enforcement or vice versa?
2	focus on Can I call it the TMU?	2	A No. We were supporting vice enforcement.
3	A Yes.	3	Q Okay.
4	Q Did you receive any special training that was different	4	A They were the smaller of the units, and they needed
5	than other assignments that you had when you were in the	5	bodies. And normally vice, if they're planning an
6	TMU?	6	operation, they're going to need a lot of support,
7	A Crowd control. The primary function for TMU was for large	7	additional manpower, because they're not going to raid
8	crowd control, riot control, and that's what they were	8	just a bar with fifteen, twenty people. It's usually
9	more or less put together for. Their training mainly	9	fifty plus people. So you're going to need, you know,
	consisted of the mobile field force concept which was from	10	more additional officers to help out.
10		11	
11	Miami, I'm not sure exactly what year, I want to say	12	The state of the s
12	1986, when Miami had all these huge riots and upheaval,		
13	and then they created a concept that is followed by a lot	13	A Okay, I'm not understanding that question.
14	of law enforcement agencies now today which is now called	14	·
15	It's their riot training, and now it's called mobile	15	
16	field force concept.	16	**
17	Q Can you describe for me where the TMU falls within the	17	A Yes.
18	Detroit Police Department structure? Is it a separate	18	Q would officers from vice enforcement be the ones who
1.9	unit, or does it fall within a larger unit?	19	
20	A It falls within a larger unit. Depending on the year and	20	following those directions?
21	what was going on, I think in 2008 I want to - I don't	21	MR. ASHFORD: Objection as to form.
22	remember the division that it fell under, but the division	22	THE WITNESS: Okay. Maybe I'm not getting the
23	it fell up under, it was TMU, gang squad, traffic motor.	23	direction part.
24	I believe that was it.	24	BY MS, JAMES:
25	Q Do I understand you correctly that TMU wasn't part of the	25	Q Okay. On any given operation that TMU would work with
	2 Do I miles builde you do not be your fact in the first of the control of the co		
	Page 19		Page 21
	Page 19	1	Page 21
1 2	, , , , , , , , , , , , , , , , , , ,	1 2	Page 21
1	Page 19 gang squad or traffic motor but that you were all part of a larger unit?		Page 21 vice enforcement A Right.
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### Anthony Potts, Sgt. 10/4/2011

7 (Pages 22 to 25)

	, /rages	22	CO 25/
	Page 22		Page 24
1	Q And what unit would that have been with?	1	BY MS. JAMES:
2	A Special response team and the you know, special	2	Q So in your experience, they don't tend to be more
3	response team, Bastern Precinct support, and also at 13.	3	apparently business-oriented versus residential?
4		4	A No.
		5	
5	raid?	ŧ	Q I'm going to show you an exhibit. This will be marked as Exhibit No. 2. I have another copy so you can both have
6	MR. ASHFORD: Objection as to form, no	6	
7	foundation. Go ahead if you understand the question.	7	one.
8	THE WITNESS: Yes, I understand the question.	8	(WHEREUPON, Deposition Exhibit 2
9	MR. ASHFORD: You can answer.	9	was marked for identification.)
10	THE WITNESS: For illegal vice activity, selling	10	BY MS, JAMES:
11	liquor after hours primarily, teenagers with rave parties,	11	Q Have you ever seen this document before? And take your
12	motorcycle clubs and their illegal drug trade as well as,	12	time if you want to take a look at it.
13	you know, selling liquor after hours.	13	A No, I don't believe I have ever seen this before.
14	BY MR. JAMES:	14	Q Okay. Take your time, and I would like you to review it,
15	Q Is one of the objections of a blind pig raid to make	15	and once you have had an opportunity to review it Well,
16	arrests? I'm sorry. I realize I used the wrong word.	16	tell me once you have had an opportunity to look at it.
17	Is one of the objectives of a blind pig raid to	17	A Is there anything in particular I'm looking for or looking
18	make arrests?	18	at?
19	MR. ASHFORD: Objection to the form.	19	Q What I'm going to ask you, once you have had a chance to
.20	THE WITNESS: It's to stop the illegal activity.	20	look through it, is whether or not that reflects your
21	BY MS. JAMES:	21	understanding of Detroit Police Department policy
22	Q Okay. And what's your understanding of the types of	22	regarding blind pig raids, and if you don't know, feel
23	illegal activity that call for a blind pig raid? You	23	free to say you don't know.
24	described a few a moment ago.	24	MR. ASHFORD: Is there a question pending? Have
25	A Right.	25	you asked a question yet?
	Page 23		Page 25
_			_
1	Q Could you elaborate?	1	MS. JAMES: I'll let him tell me when he's done
2	A On which part?	2	reading it first, and then I can ask it again.
3	Q What kind of illegal activity calls for a blind pig raid	3	MR. ASHFORD: Okay.
4	as you understand it?	4	THE WITNESS: Okay. What's your question?
5	MR. ASHFORD: Objection, asked and answered.	5	BY MS. JAMES:
- 6	THE WITNESS: Selling liquor after hours, the	6	Q My question is: Now that you have had an opportunity to
7	prostitution. You know, I've seen the prostitution, the	7	review Exhibit No. 2, based upon your experience in
8	illegal liquor sales. I guess, I mean, the damage that it	8	participating in blind pig raids, does that document
9	does not just to the patrons but to the actual area	9	reflect your understanding of Detroit Police Department
10	surrounding.	10	policy in conducting those raids?
11			
12	BY MS. JAMES:	11	MR. ASHFORD: Objection as to form. Go ahead.
13	BY MS. JAMES:  Q And as I understand many of these situations to be,	11 12	MR. ASHFORD: Objection as to form. Go ahead. BY MS. JAMES;
14			
	Q And as I understand many of these situations to be,	12	BY MS. JAMES:
15	Q And as I understand many of these situations to be, there's often a business or legitimate or otherwise,	12 13	BY MS. JAMES; Q If you know.
15 16	Q And as I understand many of these situations to be, there's often a business or legitimate or otherwise, there's some kind of a business involved; is that correct?	12 13 14	BY MS. JAMES: Q If you know. A That's not a yes-or-no answer. Linean, again, maybe I'm
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16 17 18 19	<ul> <li>Q And as I understand many of these situations to be, there's often a business or legitimate or otherwise, there's some kind of a business involved; is that correct?</li> <li>A No.         <ul> <li>MR. ASHFORD: Objection, no foundation.</li> </ul> </li> <li>BY MS. JAMES:</li> <li>Q No? Okay. I guess maybe I should ask it more open-ended. We're talking just about blind pig raids here. Are these</li> </ul>	12 13 14 15 16 17 18	BY MS. JAMES: Q If you know. A That's not a yes-or-no answer. Linean, again, maybe I'm just not following. Can you rephrase that question so I can get a better grasp of what you're asking? Q Sure. Does this document coincide with your understanding of how blind pig raids should be conducted?  MR. ASHFORD: Objection as to form.
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# Anthony Potts, Sgt. 10/4/2011

8 (Pages 26 to 29)

	o (Lageb	20	00 257
	Page 26		Page 28
1	blind pig raids?	1	procedure on blind pig raids?
2	A The policy comes from the manual.	2	A Any other documents?
3	Q Okay. Do you know whether there's a specific provision	3	
4	within the manual on blind pig raids?	4	
5	A I would probably say there is. I couldn't tell you from	5	Q Okay. In the few, I think is the word that you used, in
6	off the top of my head what it is, but I'm pretty sure	6	the few blind pig raids that you have participated in as a
7	there is,	7	TMU officer, can you describe to me how officers are
8	MS. JAMES: Can I have that back just so I can	8	usually dressed when conducting those raids?
9	keep these together? Thanks. Let's mark this as Exhibit	9	MR. ASHFORD: Objection as to form.
1.0	3,	10	THE WITNESS: Which officers?
11	(WHERBUPON, Deposition Exhibit 3	11	BY MS. JAMES:
12	was marked for identification.)	12	Q I guess I could ask it a different way. When these blind
13	BY MR. JAMES:	13	pig raids are being conducted, are all of the officers
14	Q I have handed you what is being marked as Exhibit 3.	14	involved dressed the same, or are they dressed
15	Across the top it says "203.7 Organized Crime, Vice and	15	differently?
16	Narcotics." Does this document look familiar to you?	16	A The tactical mobile unit officers were in full well,
17	What I'm really interested in, does this appear to be an	17	were in full uniform. As far as any other entities that
18	excerpt out of the manual that you referred to a moment	18	were there, I don't recall.
19	ago?	19	Q And can you describe for me what a tactical mobile unit
20	A It appears to be.	20	uniform looks like?
21	Q I see. Okay. Do you recall whether you have received	21	A At that time, it was just our regular Class A uniforms.
22	training on this particular portion of the manual? If	22	It wasn't a tactical It was not a uniform such as I'm
23	you're not sure or you don't recall, that's okay, too.	23	wearing today, the pants, the cargo pants or BDU pants.
24	A I have received a lot of training in a lot of things, and	24	It was just regular pants, regular police pants, regular
25	I don't want to misspeak or anything.	25	uniform.
	Page 27		Page 29
1	Page 27	1	Page 29
1	Q Sure. Let me rephrase it. As you sit here now, do you	1	Q What color was the uniform?
2	Q Sure. Let me rephrase it. As you sit here now, do you recall specifically receiving training on this policy	2	Q What color was the uniform? A Blue.
2 3	Q Sure. Let me rephrase it. As you sit here now, do you recall specifically receiving training on this policy other than just having it as part of the manual that you	2	<ul><li>Q What color was the uniform?</li><li>A Blue.</li><li>Q And what kind of insignias or writing appeared on the</li></ul>
2 3 4	Q Sure. Let me rephrase it. As you sit here now, do you recall specifically receiving training on this policy other than just having it as part of the manual that you have?	2 3 4	<ul> <li>Q What color was the uniform?</li> <li>A Blue.</li> <li>Q And what kind of insignias or writing appeared on the uniforms?</li> </ul>
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### Anthony Potts, Sgt. 10/4/2011

#### 9 (Pages 30 to 33)

	· <b>J</b>	1		,
	Page 30			Page 32
1.	Q When that occurs, is that at the individual officer's	1	Α	Yes,
2	discretion, or does someone within the team decide at some	2	0	Have you ever reviewed one of the written raid plans? Not
3	point that tickets will be issued?	3	•	for this case but in general.
4	MR. ASHFORD; Objection as to form.	4.	Α	Yes.
5	THE WITNESS: That's up to the vice officer who	5	Q	And what's typically contained in a raid plan?
6	is running the operation.	6	Ā	It essentially just spells out what you're raiding for,
7	BY MS. JAMES:	7		approximate numbers, contingency plans, hospital routes,
8	Q And as you understand it, when does that vice officer make	8		operating procedures for processing prisoners, property,
9	that decision? Is it before the raid?	9		vehicles.
10	A Again, I'm not sure of the question. I mean, I can't	10		Will a raid plan include a list of officers who
11	speculate what he would do. I'm not familiar. I'm not	11		participate in the raid?
12	from vice. I'm not familiar with how they actually	12		No.
13	operate and what their procedures are. From my standpoint	13	Q	
14	as a tactical officer, as a support function, that I can	14	_	which officers participate in a given raid?
15	speak of.	15		The only document I can think of is the actual report, the
1.6	Q Okay. Have you ever ticketed someone in the course of a	16		actual CRISNET report.
17	blind pig raid?	17		Okay. I'm going to ask you to look at Exhibit No. 2
18	MR. ASHFORD: Objection as to form.	18	_	again, and I'm going to refer to the back side of that
19	THE WITNESS: I don't recall.	19		page where it lists nine I'm going to use the word
20	BY MS. JAMES:	20		assignments. You can give me a better word if you can.
21	Q Okay. In the blind pig raids that you have participated	21		But do you see a list of nine assignments there?
22	in as a member of the tactical mobile unit, do you recall	22	Α	Yes.
23	ever being told that tickets were going to be issued?	23	0	And is there a better word than assignment, by the way?
24	A Yes.	24	Ä	You can say assignment.
25	Q And who told you that?	25	0	Are these assignments typical to a blind pig raid?
	Y That who told you that?	2.3	V	Are these assignments typical to a bind pig faltit
		Í		
	Page 31			Page 33
1	Page 31 A The vice officer.	1		Page 33  MR. ASHFORD: Objection as to form.
1 2	•	1 2		_
	A The vice officer.		BY	MR. ASHFORD: Objection as to form.
2	A The vice officer, Q And when did they tell you that?	2		MR. ASHFORD: Objection as to form.  THE WITNESS: With adequate manpower, yes,
2 3	<ul> <li>A The vice officer.</li> <li>Q And when did they tell you that?</li> <li>A Are we talking about during the actual raid itself?</li> </ul>	2	Q	MR. ASHFORD: Objection as to form.  THE WITNESS: With adequate manpower, yes.  MS. JAMES:
2 3 4	A The vice officer.  Q And when did they tell you that?  A Are we talking about during the actual raid itself?  Q That's what I'm asking. Would it be part of the briefing?	2 3 4	Q	MR. ASHFORD: Objection as to form. THE WITNESS: With adequate manpower, yes. MS. JAMES: I'm sorry? I didn't hear.
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### Anthony Potts, Sgt. 10/4/2011

10 (Pages 34 to 37)

		· 3	1	-	· · · · · ·
		Page 34			Page 36
1	Α	That I have participated in? No.	1	Q	Okay. What do you recall about that briefing?
2	Q		2	A	
3		and wanted to know who had these assignments, how would	3	Q	· -
4		you find that out, if you know?	4	Ā	**
5	Α	I don't know.	5	Q	
6	Q	Okay. I'll take that back from you. Can I grab the other	6	À	
7		one, too? Thanks.	7		vehicle is going to be used to extricate the officer, the
8		A moment ago you described to me what's	8		route to the hospital, the quickest route to save the
9		typically in a raid plan. Do you know where raid plans	9		officer's life.
10		are kept, where they're filed?	10	Q	Do you recall who Well, let me ask a different
11	Α	No.	11		question.
12		MR. ASHFORD: Objection, no foundation.	12		Did a particular person run the pre-raid
13	B	Y MS. JAMES:	13		briefing meeting?
14	Q	Now I'm going to bring you to the raid that brings us here	14	Α	Yes, but I couldn't recall who it was.
15		today that happened on May 31st, 2008. Do you know who	15	Q	Okay. Do you recall whether the warrant was read allowed
16		the officer in charge was in that case?	16		or whether you had an opportunity to review it?
17	A	Lieutenant Yost,	17	Α	No, I don't recall that.
18	Q	Do you know who the raid commander was?	18	Q	Approximately how many officers were at that briefing?
19	A	No.	19	A	Approximately seventy.
20	Q	Do you know who the deputy raid commander was?	20	Q	Do you know what units those seventy officers were drawn
21	A	No.	21		from?
22	Q	The assignments that we reviewed a moment ago, do you know	22	A	I believe the bulk of it was from tac mobile. I know we
23		who was assigned to any of those tasks at that raid?	23		had at least forty to fifty. I believe gang squad was
24	A	No.	24		there and vice. I mean, that was their operation.
25	Q	Do you know whether there was a raid entry plan in that	25	Q	Any others that you know of?
		Page 35			Page 37
1		case?	1,	A	There might have been a narcotics unit.
2	Á	I don't know.	2	Q	Do you ever take written notes at a pre-raid briefing?
. 3	Q	In the May 2008 raid, do you remember how the decision was	3	À	No
4		made to charge people with loitering in a place of illegal	4 .	Q	Did you observe anyone else take notes at the briefing?
5		occupation?	5	Α	I don't recall.
6	A	Okay. Can you restate the question, please?	6	Q	Do you recall any written documents whatsoever that were
7	Q	Sure. Do you recall that at the May 2008 raid at the	7		either distributed I'll just ask that first. Do you
8		Contemporary Art Institute of Detroit, do you recall that	8		recall any documents being distributed at the briefing?
9		people were ticketed for loitering in a place of illegal	9	A	No, I don't recall.
10		occupation?	10	Q	Do you recall whether any documents Do you recall
11	A	I do remember people being ticketed.	11		seeing anyone writing a report at the briefing?
12	Q	Do you know who made the decision that people were going	12	A	Writing a report?
1 7		to be ticketed that evening?	1 4 4	Q	Mm-hmm.
13		<b>8</b> -	13	Q	
14		No, I don't know who made that decision.	14	Ų	MR. ASHFORD: Objection as to form.
	A	5	l	Q	
14	A Q	No, I don't know who made that decision.	14		MR. ASHFORD: Objection as to form.
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# Anthony Potts, Sgt. 10/4/2011

#### 11 (Pages 38 to 41)

		ii (iages		CO #1/
		Page 38		Page 40
1	0	Were you shown any photos of the building that you were	1	there are minors, put the minors in a separate area.
2	_	about to raid?	2	Check for weapons.
3	Á	I don't recall photos.	3	Q When you are getting IDs and checking for weapons, how do
4	Q	Other than the routes to local hospitals and the fact that	4	you do that?
5	_	you were told approximately how many people you expected	5	A More specific, please.
6		to encounter, although you don't remember the number, is	6	Q Are you asking people whether they have weapons, or are
7		there anything else about that briefing that you recall?	7	you patting them down?
8	Α	Other than just instructing my officers to once the	8	A Patting them down.
9		place once the whatever entry team makes entry and	9	Q Is it your understanding that you are instructed to detain
10		the place is secure, to start segregating the people and	10	anyone who is in that building?
11		to be safe doing it. Make sure you check for weapons, any	11	A Yes.
12		offensive weapons, and other than that, that was pretty	12	Q And does everyone who is in that building get searched?
13		much it.	13	A Yes.
1.4	Q	And does SRT do the initial entry?	14	Q And can you describe for me how that search is conducted?
15	Α	No.	15	A Could you be more specific?
16	Q	Okay. What team or unit did the initial entry in this	16	Q Okay. Are male officers allowed to search female I'm
17		raid?	17	going to call them patrons for now.
18	A	Narcotics.	18	A No, they're not.
19	Q	Do you know the names of any of the narcotics officers who	19	Q So did you search anybody that you recall?
20		were a part of that team?	20	A Not that I can recall, no.
21	A	No.	21	Q Okay. Were you given any specific instructions, other
22	Q	If you reviewed the first CRISNET report that you have in	22	than IDs and weapons, on what to look for?
23		front of you, that you brought with you, would you be able	23	A IDs, weapons, juveniles.
24		to identify any of the officers that are listed in that	24	Q IDs, weapons, and juveniles. Do you recall seeing that
25		report; would you be able to point out anyone who was in	2.5	people were patted down?
		repert, we the year of the perturbation and the man		people were patted down?
		Page 39		Page 41
		Page 39		Page 41
1	A	Page 39 narcotics?	1	Page 41 A Yes.
	A Q	Page 39 narcotics? Sergeant Pritchett.		Page 41  A Yes.  Q Do you recall seeing any officers remove the contents of
1 2		Page 39 narcotics? Sergeant Pritchett. Pritchett? Is that correct, Pritchett?	1 2	Page 41 A Yes.
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1 2 3 4 5 6	Q A Q	narcotics? Sergeant Pritchett. Pritchett? Is that correct, Pritchett? Correct. Thank you. The only one I recognize at that particular time that was in narcotics was Sergeant Pritchett.	1 2 3 4 5	Page 41  A Yes.  Q Do you recall seeing any officers remove the contents of anyone's pockets?  A Yes.  Q And do you recall anything significant having been in anyone's pocket?
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# Anthony Potts, Sgt. 10/4/2011

#### 12 (Pages 42 to 45)

		_		Ψ,	·
		Page 42	ŀ		Page 44
1		officers looking for IDs?	1	Α	Vice.
2	Α	One is to verify who the people were.	2	Q	Is it your understanding that only vice officers issued
3	Q		3	-	tickets?
4		ID back to the patron?	4	Α	The tickets were issued by vice, but there were other
5	A	No.	5		officers that assisted vice to speed the process up.
6	Q	What would they do with it?	6	Q	Okay. So is it your understanding that it's the standard
7	Α	The IDs were collected.	7		operating procedure to detain all of the patrons, to pat
8	Q	Okay. And given to a particular officer?	8		them down, to remove the contents of their pockets, and to
9	Α	From what I remember, how the vice was, they had a table	9		ultimately ticket them? That's the standard operating
10		specifically for the ticket writing, and they had the IDs,	10		procedure; is that right?
11		and as the IDs They would call out the name, and once	11	Α	Correct,
12		the person had been checked, they were more or less in a	12	Q	When you entered I'm going to call the Contemporary Art
13		holding pattern. They would come to the table. They were	13		Institute of Detroit, I'm going to call it the CAID for
14		issued their ticket, and their ID was given back to them.	14		the sake of brevity from here on out. Do you recall what
15	Q	So is it your understanding that their IDs were taken for	15		entrance you used to the CAID?
16		the purpose of issuing the ticket?	16	A	I really don't even recall the layout to be honest with
17	Α	I don't know for the purpose of issuing the ticket, but I	17		you.
18		know What their rationale was, I don't know, but I know	18	Q	Okay. Do you recall Well, let me ask this differently.
19		their ID was taken, and the ticket was issued.	19		Were you present outside when the narcotics team made its
20	Q	And they received their ID back with the ticket?	20		initial entry?
21	A		21	Α	Yes,
22	Q	Okay. Was it your understanding from the briefing that	22	Q	Do you recall how long between when they made their
23		the process we just went through Was it your	23		initial entry and when you entered the building?
24		understanding from the briefing that that was what was to	24	A	No, I don't recall.
25		take place, that people would be patted down, their IDs	25	Q	Okay. Do you recall approximately how many narcotics
		Page 43		······································	Page 45
1			1	ooo firmaaa	-
1 2		would be taken, and they would be issued tickets? Was	1 2	A	Page 45 officers were a part of that initial entry team?  No, I don't recall.
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2 3 4	Α	would be taken, and they would be issued tickets? Was that the process that was  I don't believe that To my knowledge, no, I don't believe that was stated. Because that's more or less,	2 3 4	Q	officers were a part of that initial entry team?  No, I don't recall.  What's the first thing that you recall on the scene at the  CAID that evening?
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# Anthony Potts, Sgt. 10/4/2011

#### 13 (Pages 46 to 49)

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		Page 46		Page 48
1		tell me what entrance you used or what area of the	1	Q Do you know how long the patrons were detained at the CAID
2		building you went to; is that fair?	2	that night?
3	Á	That's fair,	3	A No.
4	Q	Did you ever have your gun drawn at any point during the	4	Q Was it also a matter of hours?
5	_	raid?	5	A Yes.
6	Α	No.	6	Q Were all the patrons out of the building by the time you
7	Q	Did you ever see any other officers have their guns drawn	7	left, if you recall?
8		during the raid?	8	A I don't recall.
9	Á	No.	9	Q Okay. During the time Let me ask it a different way.
10	Q	Do you recall physically observing the initial entry team	10	At what point was a patron allowed to leave?
11		when they entered the building? Obviously, you would be	11	A I believe once the patron received the ticket,
12		seeing them from the outdoors but -	12	Q And before they received their ticket, is it fair to say
13	Α	No, I don't recall seeing them, no.	13	they would not be allowed to leave the building for any
14	Q	So you wouldn't recall seeing if they had guns drawn; is	14	reason?
15		that fair?	15	A That's correct.
16	A	That's fair.	16	Q And is it fair to say that for some patrons it took a
17	Q	Do you recall approximately how long you were at the CAID	17	matter of hours to receive their ticket?
18		that night?	18	A Due to the volume of people, yes.
19	Α	I'm sure it was some hours, but I couldn't tell you	19	Q And during that period of time, were they free to move
20		exactly how many.	20	around the building?
21	Q	But it was a matter of hours; is that fair?	21	A No.
22	Α	Yes.	22	Q What did they have to do? Stand? Sit? Kneel? Do you
23	Q	When you said earlier that part of your role there was	23	recall?
24		segregating people, can you describe what that means?	24	A I recall a lot of them sitting.
25	A	Men from the women, juveniles from adults. If there were	25	Q Do you know whether there was a uniform instruction? Was
		Page 47		Page 49
1		any particular actors, if there were any sexual acts, they	1	everyone told to sit, or was it up to the officers who
2		would also be segregated. If a person was found with a	2	were overseeing a particular area?
3		weapon, that person would be segregated from the general	3	A No. I believe they were all told to sit.
4		area.	4	Q And do you recall whether they were allowed to sit in any
5	Q	Does that mean to physically move people to different	5	way they felt comfortable, or did they have to sit in a
6	•	areas of the location according to what category they fall	6	certain way?
7		in as you just described?	7	A It wasn't a certain way. Just, again, what I recall,
8	A	Yes.	8	their various ages, we wouldn't have them kneel the whole
9	Q	Okay. And what's your understanding of the purpose of	9	time knowing that sometimes this process can be a little
10		physically segregating people in that way?	10	bit lengthy, so just more or less sitting and just being
1.1	Α	Okay. I don't understand your question.	11	comfortable.
12	Q	What's the reason for doing that? Why do you do that?	12	Q Did you see any of the patrons kneeling that you recall?
13	Α	You can't have the men with the women. They have to be	13	A No.
14		separated.	14	Q Did you see any patrons that were handcuffed that night?
15	Q	And why is that just so I understand?	15	A I don't recall.
16	Α	If it's a husband/wife, boyfriend/girlfriend, if she has a	16	Q Do you ever recall hearing any officers instructing
17		weapon, she can pass it to him. If he has a weapon, he	17	another officer to handcuff someone?
1,8		can pass it to her. So essentially by segregating them,	18	A No.
19		that takes that element out of the way.	19	Q All right. I would like to show you another exhibit. Are
20		Next, as to control and dominate the area,	20	we on No. 4?
21		again, in most blind pigs, normally police are normally	21	(WHEREUPON, Deposition Exhibit 4
22			22	versa montreal for identification
		outnumbered. So by coming in, putting everybody down and	4 4	was marked for identification.)
23		then segregating them, it establishes the control, and	23	BY MS. JAMES:
23 24		then segregating them, it establishes the control, and then with the control, begin compliance, and it makes	23 24	BY MS. JAMES:  Q Did you have an opportunity to take a look at Exhibit 4?
23		then segregating them, it establishes the control, and	23	BY MS. JAMES:

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### Anthony Potts, Sgt. 10/4/2011

#### 14 (Pages 50 to 53)

		14 (Pages	J U	L	, 33,
		Page 50			Page 52
1	Q	Okay. And can you tell me what that document is?	1		working correctly.
2	-	It appears to be my activity log for May 30th of 2008.	2	0	And the next row says, "Busy updating daily detail." Can
3	Q		3		you tell me what that means?
4	•	than one name on it. In the position that you had at TMU	4	Α	Part of my duties is also clerical. I also have to update
5		at that time, was it your practice to fill out an activity	5		our daily detail and change it, so if anybody is sick or
6		log only for yourself?	6		has been pulled to do another assignment, just more or
7	Α	I only worked by myself.	7		less just updating and correcting the detail.
8	0	and the state of t	8	0	Can you back up and tell me what a daily detail is? Is
9	•	time?	9	`	that a document?
10	Α	No.	10	Α	A daily detail shows the personnel that is working on that
11	Q	Okay. I'd like you to just explain a bit. Luckily, this	11		particular day.
12	•	is a pretty short one. Can you sort of walk me through	12	Q	I see. Just within
13		this? When we go down to the bottom section, there's a	13	A	Within tac mobile, within our unit.
14		number of columns and rows, and is it fair to say that	14	Q	So as a supervisor, this particular duty falls on you; is
1.5		this is kind of a snapshot of what you did on that shift;	15		that fair?
16		is that fair?	16	Α	That's correct.
17	Α	Yes.	17	Q	The next column says "R/0 Osborn High School checking for
18	Q	So starting with the top line, it says "R/C per Sergeant	18		loiterers, none found at this time." What does "R/0"
19		Richey." What does that mean?	19		mean?
20	Α	Roll call,	20	Α	Rear of. I was in the rear of Osborn High School.
21	Q	And what happened at roll call?	21	Q	I see. And what kind of loitering were you checking for?
22	A	It's our daily briefing.	22	Α	Car thieves have a habit of taking stolen cars and
23	Q		23		stripping them behind Osborn. Sometimes kids go there to
24		day?	24		do their illicit activities that they want to do.
25	Α	No. Just it was a standard on-duty briefing with the	25		Sometimes This was in May, Okay. So school was still
		Page 51			Page 53
1.		sergeants and the officers.	1		open. So it's not uncommon that people would break into
2	n	And there's a comment a column, rather, that says "Type	2		the school. They would normally do it through rear
3	V	Activity," and then below that column there's a series of	3		entrances.
4		notations where the letters "MA" appear. Can you tell me	4	Q	
5		what "MA" means?	5	•	to check this spot periodically; is that fair?
6	Α	Miscellaneous activity.	Ì		
7	_	•	6	Α	i es,
8	O	And is there a — I'm not sure what the word would be, but	Ì	A 0	
9	Q	•	7		The next column or row, rather, says, "Gratiot and Georgia
	Q	And is there a — I'm not sure what the word would be, but is there a standard set of codes that you use in that column?	7	Q	The next column or row, rather, says, "Gratiot and Georgia assistant tac"
10		is there a standard set of codes that you use in that column?	7 8 9	Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."
10 11	A	is there a standard set of codes that you use in that	7	Q	The next column or row, rather, says, "Gratiot and Georgia assistant tae"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?
		is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.	7 8 9	Q A Q	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably
1.1	A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.	7 8 9 10	Q A Q	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.
11 12	A Q A Q	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?	7 8 9 10 11	Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably
11 12 13	A Q A Q	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?  If you were working Downtown directing traffic at	7 8 9 10 11 12	Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support
11 12 13 14	A Q A Q	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?	7 8 9 10 11 12 13	Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support  Yes.
11 12 13 14 15	A Q A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?  If you were working Downtown directing traffic at  Greektown or something like that, it would be considered	7 8 9 10 11 12 13 14	Q A Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support Yes.  for officers on another incident?
11 12 13 14 15	A Q A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?  If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.	7 8 9 10 11 12 13 14 15	Q A Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tae"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support Yes.  for officers on another incident?  Yes.
11 12 13 14 15 16	A Q A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?  If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity	7 8 9 10 11 12 13 14 15 16	Q A Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party
11 12 13 14 15 16 17	A Q A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS. Okay.  If it was a special detail, SD. And what does special detail mean? If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity log you classified as miscellaneous activity; is that	7 8 9 10 11 12 13 14 15 16 17	Q A Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party Store' checked location for loiterers and narcotic
11 12 13 14 15 16 17 18	A Q A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS. Okay.  If it was a special detail, SD. And what does special detail mean?  If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity log you classified as miscellaneous activity; is that correct?	7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party Store' checked location for loiterers and narcotic activity, none found." Is this similar to what you had
11 12 13 14 15 16 17 18 19	A Q A Q A	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS. Okay.  If it was a special detail, SD. And what does special detail mean?  If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity log you classified as miscellaneous activity; is that correct?  That's correct.	7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A Q	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support  Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party  Store' checked location for loiterers and narcotic activity, none found." Is this similar to what you had done at Osborn High School earlier?
11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?  If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity log you classified as miscellaneous activity; is that correct?  That's correct.  The second row in that grid is, "Busy checking in car	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q A Q A	The next column or row, rather, says, "Gratiot and Georgia assistant tac"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support  Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party Store' checked location for loiterers and narcotic activity, none found." Is this similar to what you had done at Osborn High School earlier?  Yes.
11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS. Okay.  If it was a special detail, SD. And what does special detail mean?  If you were working Downtown directing traffic at Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity log you classified as miscellaneous activity; is that correct?  That's correct.  The second row in that grid is, "Busy checking in car video." Can you tell me what that means?	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q	The next column or row, rather, says, "Gratiot and Georgia assistant tae"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party Store' checked location for loiterers and narcotic activity, none found." Is this similar to what you had done at Osborn High School earlier?  Yes.  The next row, this is 12:50. Would that be p.m.?
11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q A Q	is there a standard set of codes that you use in that column?  Yes. If it's a traffic stop, it would be TS.  Okay.  If it was a special detail, SD.  And what does special detail mean?  If you were working Downtown directing traffic at  Greektown or something like that, it would be considered special detail.  I see. Okay. So everything from this particular activity log you classified as miscellaneous activity; is that correct?  That's correct.  The second row in that grid is, "Busy checking in car video," Can you tell me what that means?  One of my functions at the beginning of the shift is to	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q	The next column or row, rather, says, "Gratiot and Georgia assistant tae"  " assisted tac 74, 73, and 13 on injury accident."  Can you just describe briefly what this means?  I went there to assist those units, mainly probably directing traffic or helping with EMS and tow trucks.  So would it be fair to say you were providing support  Yes.  for officers on another incident?  Yes.  The next row says, "Kelly and Morang 'In and Out Party Store' checked location for loiterers and narcotic activity, none found." Is this similar to what you had done at Osborn High School earlier?  Yes.  The next row, this is 12:50. Would that be p.m.?  Yes.

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### Anthony Potts, Sgt. 10/4/2011

### 15 (Pages 54 to 57)

		Page 54		Page 56
1	Q	So we're talking just after midnight?	1	. Is that right?
2	A	Correct,	2	A Correct.
3	Q	"1019 to the base for vice raid briefing." Is this the	3	Q And what does that mean, "unloading security"?
4		briefing we talked about earlier?	4	A Mainly just unloading equipment that we carry in our scout
5	Α		5	cars, raid shields, batons, raid equipment.
6	Q	How long was that briefing; do you know?	6	Q So did TMU officers have shields and batons at that raid?
7	Α	If I arrived at the base at 12:50, more than likely the	7	MR. ASHFORD: Objection as to form.
8		actual briefing was at 1:00 a.m., so I would venture to	8	BY MS, JAMES:
9		say it took about an hour for the briefing.	9	Q Do you recall?
10	Q	I see. Okay. And so the next row says, "Raid at 1541	10	A That equipment is standard. We carry that in our vehicles
11		12th Street." Is that the location of the CAID?	11	at the beginning of starting our patrol.
12	Α	No. I've got Rosa Parks, but my activity log, it has	12	Q Oh, I see. You have that equipment every day?
1.3		1541, but apparently the location on the CRISNET report	13	A Yes. We carry that equipment every day.
14		says 5141, so I	14	Q I see, All right,
1.5	Q	Do you think that could have just been a typo, but that's	15	Now, the time there, 5:15 a.m. on that
16		the location you were referring to?	16	particular row, would that be the time that you arrived at
17	Á	Yes.	17	the base?
18	Q	Okay. You didn't do any other raids that night, right?	18	A Yes.
19	A	No, no.	19	Q Okay. So my next question is that between 4:30 a.m.,
20	Q	The next four lines underneath that I'm sorry. Just	20	which is the line directly above, and 5:15, did it take
21		three lines say, "Busy at raid location on prisoner	21	you forty-five minutes to go from the raid location to the
22		security." Is that right?	22	base, or is there some other accounting for that
23	Α	Correct.	23	forty-five minutes? And if I'm not being clear, I can
24	Q	Is there a particular reason why you would enter this	24	rephrase.
25		three times?	25	MR. ASHFORD: Objection as to form.
			<u> </u>	
<del>}</del>		Page 55		Page 57
1	A	Page 55  No. It's just the way I like to do my activity log.	1	Page 57 THE WITNESS: Okay. Maybe I'm not following
1 2	A Q		1 2	_
		No. It's just the way I like to do my activity log.		THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:
2		No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?	2	THE WITNESS: Okay. Maybe I'm not following what you're
2	Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.	2 3	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES: Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to
2 3 4	Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.	2 3 4	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log
2 3 4 5	Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?	2 3 4 5	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES: Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to
2 3 4 5 6	Q A Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on	2 3 4 5 6	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?
2 3 4 5 6 7 8	Q A Q A	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?	2 3 4 5 6 7 8 9	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and
2 3 4 5 6 7 8	Q A Q A	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.	2 3 4 5 6 7 8 9	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?
2 3 4 5 6 7 8	Q A Q A	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid	2 3 4 5 6 7 8 9 10	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location
2 3 4 5 6 7 8 9 10 11	Q A Q A	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid location on prisoner security" —	2 3 4 5 6 7 8 9 10 11	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location or if that's the time that you left, if you recall or if
2 3 4 5 6 7 8 9 10 11 12	Q Q A Q Q A	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid location on prisoner security" —  Which time?	2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location or if that's the time that you left, if you recall or if you know?
2 3 4 5 6 7 8 9 10 11 12 13 14	Q Q A Q Q A Q Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid location on prisoner security" —  Which time?  The bottom one.	2 3 4 5 6 7 8 9 10 11 12 13 14	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location or if that's the time that you left, if you recall or if you know?  A I don't recall.
2 3 4 5 6 7 8 9 10 11 12 13 14	Q Q A Q A Q A	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid location on prisoner security" —  Which time?  The bottom one.  What time?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location or if that's the time that you left, if you recall or if you know?  A I don't recall.  Q Okay. Where is the TMU base?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q Q A Q Q A Q Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid location on prisoner security" —  Which time?  The bottom one.  What time?  Well, that's what I'm asking. At 4:30, is that accurate	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location or if that's the time that you left, if you recall or if you know?  A I don't recall.  Q Okay. Where is the TMU base?  MR. ASHFORD: I'll object to that based on law
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q Q A Q Q A Q Q A Q Q	No. It's just the way I like to do my activity log.  Just to sort of account for a longer period of time; is that fair?  Yes.  Now, the row that says "Raid at 1541 12th Street," is it correct that the time there is 2:10 a.m.?  Yes.  And the third notation of "Busy at raid location on prisoner security" says 4:30; is that correct?  Okay. Say that again.  So if you go to the third notation of "Busy at raid location on prisoner security"  Which time?  The bottom one.  What time?  Well, that's what I'm asking. At 4:30, is that accurate that at 4:30 you were still busy at the raid location?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	THE WITNESS: Okay. Maybe I'm not following what you're BY MS. JAMES:  Q I'm trying to narrow in on, as of 4:30, your activity log says you were busy at the raid location. I'm trying to narrow in on when you left that location. Is there a way that we can tell from this activity log when you left that location? Do you understand my question?  A You're asking me to account for the time between 4:30 and 5:15? Is that what I'm hearing?  Q I'm asking if at 4:30 you were still at the raid location or if that's the time that you left, if you recall or if you know?  A I don't recall.  Q Okay. Where is the TMU base?  MR. ASHFORD: I'll object to that based on law enforcement privilege and instruct the witness not to
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### Anthony Potts, Sgt. 10/4/2011

16 (Pages 58 to 61)

	10 (10.90)	,	30 V <sub>2</sub> ,
	Page 58		Page 60
1	Do you recall the location of the raid? And I	1	Q We can start there. Did you create a CRISNET as a result
2	don't just mean the address. Do you actually recall where	2	of your participation in this raid?
.3	it was?	3	A Not to my knowledge.
4	A I vaguely have an idea	4	Q Okay. And are there any other written documents that you
5	Q Okay.	5	Actually, let me rephrase that.
6	A where it's located.	6	You don't remember writing any other documents
7	Q And based on your recollection of where the raid was, can	7	other than your activity log as a result of this raid; is
8	you tell me that if you traveled from that location to the	8	that right?
9	TMU base, approximately how long of a traveling distance	9	A That's right,
1.0	that would be just approximately?	10	Q What's your understanding of when you should fill out your
11	MR. ASHFORD: In terms of minutes?	11	own CRISNET report? Let me put it a different way.
12	BY MS. JAMES:	12	When is an officer supposed to fill out a
13	Q In terms of minutes, yes. Thank you.	13	CRISNET report?
14	A Fifteen, twenty minutes.	14	MR. ASHFORD: Objection as to form.
15	Q Okay. Just one more question about your activity log. If	15	THE WITNESS: When an officer takes police
16	you issue any tickets on a given shift, is that something	16	action or documenting a particular something in
17	you should note in your activity log?	17	particular that needs documentation.
18	A Normally, yes.	18	BY MS. JAMES:
1.9	Q By the absence of any such notation on this activity log,	19	Q Okay. And is it your understanding that such
20	could you assume that you had issued no tickets?	20	documentation I guess, let me ask it differently.
21	MR. ASHFORD: Objection as to form.	21	What is your understanding of the significance
22	BY MS, JAMES:	22	of documenting police activity?
23	Q I can ask it a different way if you're not sure.	23	A Okay. I'm not following.
24	A Piease,	24	Q Okay. Why fill out a CRISNET?
25	Q Are there circumstances where you issue tickets, but for	25	MR. ASHFORD: Objection, asked and answered.
	· · · · · · · · · · · · · · · · · · ·		inic ristri ords. Cojection, asked and answered.
	Page 59		Page 61
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# Anthony Potts, Sgt. 10/4/2011

17 (Pages 62 to 65)

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	Page 62		Page 64
1	has to go after that.	1	A Yes.
2	Q Okay. And can you give me some examples of where it gets	2	Q Okay. And one of the contexts in which you may be asked
3	forwarded?	3	to testify or recall your police activity would be in a
4	A It depends. I mean, anything in particular you're looking	4	criminal prosecution; is that correct?
5	for?	5	A One of.
6	Q I'm trying to understand, why do you record things? Do	6	Q So would you agree that when you have been involved in
7	you use them at some point in the future? What happens to	7	police activity that includes criminally charging someone,
8	them?	8	that it would be important to document that activity in a
9	A Again, it's documentation that police action was taken.	9	police report?
10	Q Do criminal prosecutions sometimes follow a police	10	MR. ASHFORD: Objection to foundation.
11	activity?	11	THE WITNESS: Rephrase that, please.
12	A Are you asking me to speculate on that? I mean, I'm	12	BY MS. JAMES:
13	trying to be What is it that What exactly are you	13	Q Sure. Do you agree that when you engage in police
14	asking?	14	activity, which includes charging a person with a crime,
15	Q Okay. Have you ever written a CRISNET report that has	15	that it would be important for you to document in a police
16	documented police activity that has led to a criminal	16	report the activity that you took?
17	prosecution?	17	MR. ASHFORD: Objection, no foundation.
18	A Yes.	18	THE WITNESS: Would I agree with you? Yes,
19	Q Okay. And when that happens, does the CRISNET report	19	BY MS. JAMES:
20	become significant for some reason?	20	Q Okay. I think we finally understand each other.
21	A Okay. Do you want to rephrase that?	21.	Would you also agree that it would be good
22 -	Q Does anyone look at the CRISNET report in the context of a	22	police practice to document law enforcement activity that
23	criminal prosecution?	23	results in charging a person with a crime?
24	A It's an official document so	24	MR. ASHFORD: Objection, form and foundation.
25	Q And you fill out that document in order to create a	25	THE WITNESS: Yes.
			· · · · · · · · · · · · · · · · · · ·
	Page 63		Page 65
1	Page 63 contemporaneous record of the facts that occurred at the	1	Page 65 BY MS. JAMES:
1 2		1 2	
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# Anthony Potts, Sgt. 10/4/2011

18 (Pages 66 to 69)

	Page 66			Page 68
1.	Q Okay. What made this raid different?	1	1	here?
2	A There's no routine. Every raid is different.	2		MR. ASHFORD: Objection to the form.
3	Q Okay.	3		THE WITNESS: Okay. You're asking me Okay.
4	A So we can't say all, because, again, all raids are	4	]	Rephrase that question because, again, you lost me.
5	different just like all traffic stops are different.	5	BY	MS. JAMES:
6	There is nothing routine about any of it.	6	Q	Okay. Prior to any of these blind pig raid search warrant
7	Q Okay. But there are some things that remain consistent.	7	6	executions that you have been a part of, at any of these
8	You just told me a moment ago that you always assume the	8	(	operations, at the briefing before the raid, have you ever
9	presence of weapons are possible at least, right?	9	1	been given information that helped to confirm some of
10	MR. ASHFORD: Objection, no foundation.	10	1	these variables or shed some light on these variables at
11	THE WITNESS: Yes.	11	ŧ	any time?
12	BY MS. JAMES:	12		Yeah, that would be an important part of the briefing.
13	Q Okay. So there are some ways in which these raids are at	13		Okay. So you're not always going into these situations
14	least similar to one another; is that fair?	14	1	with no knowledge whatsoever; is that fair?
15	MR. ASHFORD: Objection, no foundation.	15	Α	Yes.
1.6	THE WITNESS: There's a generality, but, again,	16		Okay. Because it's an important police practice to obtain
17	it's more or less for form and structure, but, again,	17	t	the information Well, scratch that.
18	raids are very they're different. Each raid is	18		In this raid, in May 2008, do you recall whether
19	different.	19		you were given any information about whether investigators
20	BY MS. JAMES:	20		confirmed that there were likely to be guns present?
21	Q And what are some of the factors that make them different?	21		I don't recall.
22	A Patrons, the environment, the time. I mean, there are a	22		So is it fair that you Do you recall any information,
23	lot of variables that go into planning a raid. Some	23		other than I believe you testified earlier you thought
24	variables you just can't you can't see. You can't plan	24		they told you the approximate number of people to
25	for them all.	25	ε	anticipate, other than the number of people, do you recall
		<del> </del>		
	Page 67			Page 69
1	Page 67  Q What kinds of variables do officers try to anticipate	1	1	Page 69 naving been advised of any particularities that you could
1 2	_	1 2		naving been advised of any particularities that you could expect to encounter at this raid?
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# Anthony Potts, Sgt. 10/4/2011

19 (Pages 70 to 73)

	19 (Pages	. , 0	to 73)
	Page 70		Page 72
1.	A That I observed them or was told to me or what?	1	THE WITNESS: That's fair.
2	Q What do you understand they did? We already established	2	BY MS. JAMES:
3	that you didn't personally observe any illegal conduct, so	3	Q I'd like to direct your attention to page 4, about five
4	what is your understanding of what they actually did that	4	lines from the bottom on that page is number 76, Nathaniel
5	was illegal? What was told to you?	5	Price, I'm going to ask you the same question. According
6	MR. ASHFORD: Objection, asked and answered.	6	to this report, you issued him a ticket for loitering in a
7	BY MS. JAMES:	7	place of illegal occupation; is that correct?
8	Q Let me clarify what might be confusing you. I'm not	8	A A ticket was issued, yes.
9	asking you to recite the charge or recite the ordinance	9	Q And it was issued by you; is that correct?
10	that they were ticketed under. I'm asking you to tell me	10	A I don't recall, but we're talking over 134 people.
11	in layman's terms what they did, the facts of their actual	11	Q I'm only asking you about two.
12	activity. What did they do as you understand it?	12	A Well, he was in there. He was loitering, so the ticket
13	MR. ASHFORD: Objection, asked and answered. Do	13	was issued.
1.4	you understand the question?	14	Q By you, right?
15	THE WITNESS: It was just a general it was a	15	MR. ASHFORD: Objection, asked and answered.
1.6	vice raid and vice activity that was going on, and pretty	16	THE WITNESS: If I put my name on it, yes.
17	much that was it.	17	BY MS. JAMES:
18	BY MS. JAMES:	18	Q All right. And, again, based on your previous testimony,
19	Q All right. We are nearing the end, I promise. This, I	19	is it fair to say that you didn't personally observe him
20	believe, will be Exhibit No. 5. This is just a copy of	20	engaging in any illegal activity?
21	what you already have yourself, the CRISNET report that	21	MR. ASHFORD: Objection, no foundation.
22	ends in decimal point one.	22	THE WITNESS: If he was issued a ticket for
23	(WHEREUPON, Deposition Exhibit 5	23	loitering, he was there, so I guess that would tend to
24	was marked for identification.)	24	speak for itself.
25	BY MS. JAMES:	25	BY MS. JAMES:
	Page 71		Page 73
1	_	1	_
1	Q And I would like to direct your attention to page 2.	1 2	Q Is it your testimony that his presence in the building is
2	Q And I would like to direct your attention to page 2.  Defendant number 35 is down at the bottom of that page.	2	Q Is it your testimony that his presence in the building is the illegal conduct?
2 3	Q And I would like to direct your attention to page 2.  Defendant number 35 is down at the bottom of that page.  The name is Jacque Sutton. Do I understand or should I	2 3	<ul><li>Q Is it your testimony that his presence in the building is the illegal conduct?</li><li>A If that's what the ticket says, loitering in place of</li></ul>
2 3 4	Q And I would like to direct your attention to page 2.  Defendant number 35 is down at the bottom of that page.  The name is Jacque Sutton. Do I understand or should I understand from this report that you issued him a ticket	2	<ul> <li>Q Is it your testimony that his presence in the building is the illegal conduct?</li> <li>A If that's what the ticket says, loitering in place of illegal occupation.</li> </ul>
2 3	Q And I would like to direct your attention to page 2.  Defendant number 35 is down at the bottom of that page.  The name is Jacque Sutton. Do I understand or should I understand from this report that you issued him a ticket for loitering in a place of illegal occupation? Do you	2 3 4	<ul> <li>Q Is it your testimony that his presence in the building is the illegal conduct?</li> <li>A If that's what the ticket says, loitering in place of illegal occupation.</li> <li>Q So the answer is yes?</li> </ul>
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### 2:10-cv-10675-VAR-MKM Doc # 84-24 Filed 04/17/12 Pg 21 of 25 Pg ID 2147

# Anthony Potts, Sgt. 10/4/2011

### 20 (Pages 74 to 77)

	I I		· · · · · ·
	Page 74		Page 76
1.	is also a report that I know you have yourself. This is	1	A No.
2	the CRISNET report ending in decimal point three, and I'm	2	Q But given that it does start at 40 on page 1, you can flip
3	going to try and shortcut this one for you as best as I	3	to the end at page 5, and it ends at number 83. Do you
4	can. This report, I'll direct you to number 49 which is	4	see that?
5	Jacque Sutton, number 60 which is Nathaniel Price, and	5	A All right.
6	number 65, Ian Mobley. This report also documents that	6	Q Okay. So it stands to reason that 83 minus 39 is 44. So
7	you issued Well, actually, let me ask you the question.	7	can we agree that we're talking about 44 vehicles that
8	It repeats that these same people were issued a ticket by	8	were seized for abatement?
9	you for loitering in a place of illegal occupation, and		A Okay. I can agree on that,
10		10	Q Okay. Based on your understanding of this raid, was it
11		11	only vehicles that were in the vicinity of the CAID that
12		12	were actually abated? In other words, if someone had not
13	·	13	driven themselves there, you didn't go to their home and
14		14	seize their vehicle?
15		15	
16			
		16	Q Okay,
17		17	A I personally did not, no.
18		18	Q And to your knowledge, that wouldn't have been a normal
19	• • • • •	19	procedure?
20		20	A No.
21			Q That's not what's done, right?
22	3		A No.
23			Q What about someone whose vehicle was not in the immediate
24		24	vicinity of the CAID? Well, let me ask a different
25	was slated by vice that it was an illegal occupation, and	25	question.
			T. T. T. T. T. T. T. T. T. T. T. T. T. T
	Page 75		Page 77
1		1	
1 2	Page 75	1 2	Page 77
	Page 75 the three people that you said in question were in this	2	Page 77 You have already testified that you don't
2	Page 75 the three people that you said in question were in this particular facility.	2 3	Page 77  You have already testified that you don't remember where Ian Mobley's car was parked, right?
2 3	Page 75 the three people that you said in question were in this particular facility. BY MS. JAMES:	2 3	Page 77  You have already testified that you don't remember where Ian Mobley's car was parked, right?  A Correct.
2 3 4	Page 75 the three people that you said in question were in this particular facility. BY MS. JAMES: Q Okay. I'm going to ask you about the third person, number	2 3	Page 77  You have already testified that you don't remember where Ian Mobley's car was parked, right?  A Correct.  Q And let's assume for the moment, although I understand you
2 3 4 5	Page 75 the three people that you said in question were in this particular facility. BY MS. JAMES: Q Okay. I'm going to ask you about the third person, number 65, Ian Mobley specifically. Do you recall or do you know	2 3 4 5	Page 77  You have already testified that you don't remember where Ian Mobley's car was parked, right?  A Correct.  Q And let's assume for the moment, although I understand you don't know or remember, but let's assume for the moment
2 3 4 5 6	Page 75 the three people that you said in question were in this particular facility. BY MS. JAMES:  Q Okay. I'm going to ask you about the third person, number 65, Ian Mobley specifically. Do you recall or do you know where his car was when you authorized its abatement?	2 3 4 5 6	Page 77  You have already testified that you don't remember where Ian Mobley's car was parked, right?  A Correct.  Q And let's assume for the moment, although I understand you don't know or remember, but let's assume for the moment that his car was not parked in the immediate vicinity of
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# Anthony Potts, Sgt. 10/4/2011

#### 21 (Pages 78 to 81)

		21 (1090)	, ,		,
		Page 78			Page 80
1		conclusion.	1		that's inconsistent in terms of date; is that fair?
2	В	Y MS. JAMES:	2	Α	Yes.
3	Q		3	·Q	Okay. So let's assume this page may be misfiled, and
4	A		4	_	disregard that particular page for now.
5	Q	I will take that back from you. Thank you.	5	Α	All right.
6	`	Do you agree that as of the date of this raid,	6	0	
7		it was the custom of the police department that when	7	•	attention. Otherwise, let's assume it's not part of this
8		raiding an establishment that was selling alcohol without	8		raid report.
9		a license or selling after 2:00 a.m., to charge all	9		All right.
10		persons in the building with loitering in a place of	10	0	Okay. So ignoring the July firearms report, can you tell
11		illegal occupation and seizing their vehicles under the	11	•	me what you remember about the February 2008 raid?
12		nuisance abatement statute?	12		I just remember it being an apartment building.
13		MR. ASHFORD: Objection, form and foundation.	13		Okay. So on page 1 I think we're both looking at the
14		THE WITNESS: Okay. Can you rephrase that	14		same page here. Where it says location, 45 Grand River,
15		please?	15		the apartment, the apartment isn't the name of a place;
16		MS, JAMES: Can you repeat it back?	16		it's an actual apartment?
17		(WHEREUPON, the Reporter read back	17		Actually, it's an apartment building, and each level has
18		the last question.)	18		I believe it's like lofts. I think each floor is a
19		THE WITNESS: Yes.	19		loft or something to that effect.
20	B	Y MR. JAMES:	20	Q	A residential building?
21		Do you know what a person has to do to get their car back	21	A	Yes.
22	~	when it's seized under the nuisance abatement statute?	22	0	So taking a look at this report, can we agree that it
23	А	No, not off the top of my head, no.	23	_	appears as though there were approximately 106 people who
24	Q		24		were charged? I believe most of them are charged with
	~	money in order to get it back? If you don't know, that's	25		loitering in a place of illegal occupation. I'll tell
25					
25			25		
25		Page 79	25		Page 81
1			1		
	A	Page 79			Page 81
1	A Q	Page 79 okay. I don't know. That's fine. Do you know whether the city stands to gain	1. 2 3		Page 81 you, I have looked at it. There are a handful that were charged with engaging in illegal occupation. Can we agree that that appears to be the case in this report?
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q	okay.  I don't know. That's fine. Do you know whether the city stands to gain financially in any way by the abatement of vehicles?  I don't know.  MS. JAMES: This will be Exhibit No. 7. (WHEREUPON, Deposition Exhibit 7 was marked for identification.)  MR. JAMES: You don't need to look at every detail of this, but I would like you to just skim through this document, Exhibit No. 7, and tell me if you recall this particular raid. I vaguely remember this one. Okay. Can you tell me what you do remember about it? How many raids are we talking? What I have handed you is one raid as I understand it. Okay. Because I have the date on this firearms report is July 12th of '08, but yet the CRISNET reflects report date of February 23rd of '08. Let me take a look at this and make sure it's not mixed up. You have two different recovery places. This is 10341	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY Q A Q A Q	you, I have looked at it. There are a handful that were charged with engaging in illegal occupation. Can we agree that that appears to be the case in this report?  MR. ASHFORD: Objection, no foundation. Start from the back.  MS. JAMES: Yeah. I think they're backwards for some reason.  MR. ASHFORD: I just figured that out.  MS. JAMES: I can ask the question again if you got lost in the counting. I did.  The question is: Can we agree that based upon this report, it appears as though 106 people have been charged with some kind of violation? The majority of them appear to have been charged with loitering in a place of illegal occupation, and a few of them have been charged with engaging in illegal occupation; is that fair?  Yes.  Do you recall what the illegal occupation was that was occurring at this location? I don't recall.

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#### 22 (Pages 82 to 85)

		La (lageb	, 02	-	0 007
		Page 82			Page 84
1	Q	Okay. Do you know whether there were any vehicles seized	1		appear to have been cited with loitering in a place of
2	ν.	in this raid?	2		illegal occupation, although I will tell you, in having
3	Α	I don't know. What does the CRISNET say?	3		reviewed it, there are some engagers and at least one
4		Well, I have looked at the CRISNET, and I haven't seen any	4		public urination citation. But for those that refer to
5	Q	notation on there that vehicles were seized, so I'm asking	5		•
6		you based on your memory. Do you recall whether any			illegal occupation, do you know what the illegal
7		vehicles were seized?	6		occupation was that was occurring at that location?  I don't recall.
8	٨	I don't recall.	7	A	
9			8	Ų	Okay. All right, I'll take that back. Thanks.
	Q	Okay. Do you remember a raid at a location that was known	9		Do you know, when an officer writes a ticket for
10		as the Cozy House? Does that ring a bell?	10		loitering in a place of illegal occupation, is it fair to
11		No.	11		say that a copy is given to the subject, and the police
12	Q	No? I'm going to hand you what's being marked as Exhibit	12		department keeps a copy of that ticket?
13		8.	13	Α	
14		(WHEREUPON, Deposition Exhibit 8	14	Q	
15		was marked for identification.)	15		keep, if you know? Is it a single copy or more than that?
16	_	Y MS, JAMES;	16	Α	•
17	Q	And, again, I don't need you to read this in detail, but I	17	·Q	•
18		would like you to skim over it and tell me if in skimming	18	A	,
19		over it it helps you to recall whether or not you	19	Q	I see. Can you explain the difference between those two
20		participated in a raid at a location known as the Cozy	20		things?
21		House. If looking at this does not refresh your memory,	21	Α	Miscellaneous order has the court copy, the defendant's
22		just let me know.	22		copy, and then the actual police copy; where a uniform
23	Α	Okay. I vaguely remember this one as well.	23		citation, you have got depending if the officer is
24	Q	Okay. Understanding that your recollection is vague, can	24		writing him a misdemeanor or a civil infraction, those are
25		you tell me anything about it that you do remember?	25		two copies, the actual court copy, I think there's two or
<del></del>		Page 83			Page 85
1	٨	It was a storefront establishment. I believe at one point			
	A	it used to be a restaurant of some sort.	1		three other copies with it, so there's roughly five
2	^		2	_	copies
3	V	And can we agree that based on the CRISNET report If	3	Q	
-4		you look at the page numbers that are in the lower	-4	A	
5		left-hand corner, there is a CRISNET report that begins at	5	Q	I see. Do you know which type of document was issued at
6		page 200.	6		the May 2008 raid?
7	_	What are you looking at?	7	A	
8	Q	This number down in the lower left-hand corner. They are	8	Q	So the miscellaneous order, I'm sorry, had how many
9		front and back, too, so there you go. Okay. So looking	9		copies?
10		at this CRISNET report that starts on page 200 in the	10	A	It's actually two green copies well, actually, the
11		lower left-hand corner, it goes on for six pages, and	11		original, a white copy, and a green copy, and the white
12		there are 107 defendants listed. So based on this report,	12		copy is usually given to the person issued the ticket.
13		is it fair for us to agree that it appears as though 107	13	Q	I see. And then what happens with the other copies?
14		people were issued some kind of criminal citation; is that	14	A	One goes to Once it's processed, it's taken Downtown to
15		fair? Can we agree that based on this report, it appears	15		36th District Court,
16		as though 107 people were issued criminal citations? It	16	Q	Okay. And then there's a copy retained by the police
17		goes on to page 6 in the upper right-hand corner.	17		department; is that right?
18	A	I don't see the list of people. I mean, mine, I have got	18	A	Yes. For the most part, they will retain their copy, and,
19		Defendant 13.	19		again, depending on what the ordinance is, sometimes it
20	Q	Can I see your copy so I can help you out here? It's	20		might go with a court jacket or file jacket, or the
21		printed two sides, so this is our page 1, this is our page	21		officer may retain it to testify from it.
22		2, through page 6. This is where I am. Sorry about the	22	Q	So is my understanding correct that what an officer does
22 23			22 23	Q	So is my understanding correct that what an officer does to I'm not sure what the right word is. If you want to
	Α	2, through page 6. This is where I am. Sorry about the	l .	Q	
23	A Q	2, through page 6. This is where I am. Sorry about the confusion.	23	Q	to I'm not sure what the right word is. If you want to

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# Anthony Potts, Sgt. 10/4/2011

### 23 (Pages 86 to 89)

		Page 86		Page 88
1		you have to do is submit that ticket to 36th District	1	MS. JAMES: Sure.
2		Court; is that fair?	2	MR. ASHFORD: How much longer do you have?
3	Α	Yes, and the court will issue will send him will	3	MS. JAMES: I have three more questions.
4		send the defendant a court date.	4	MR. ASHFORD: Because I have a kid waiting for
5	Q	Okay. Is there any step in between where the citation is	5	me. Go ahead.
6		reviewed? For example, when you have done this before, do	6	MS. JAMES: I'm not always getting prompt
7		you have to submit it to any kind of supervisor for	7	answers here. I wish I could go faster.
8		review?	8	MR. ASHFORD: Okay,
9	Α	Once the supervisor checks it, it's taken down to 36th	9	BY MS. JAMES:
10		District Court. It's tabulated, then it's taken down.	10	Q Do you recall specific training on how to execute search
11	Q	I want to back up. This is my last series of questions, I	11	warrants?
12		think. And now that we have gone through the raid in	12	A Yes.
13		question here, I want to back up and ask you if you recall	13	Q And the training that you're thinking of, as you remember
1.4		any training on certain things. So at any point between	14	this, when did that occur, if you recall?
15		attending the police academy and the present, do you	15	A I've had it several times throughout my career.
16		recall receiving any training that was specific to the	16	Q Okay. How often would you say you have had it?
17		City of Detroit ordinance that authorizes ticketing people	17	A I can't pin down frequency, but about frequent enough,
18		for loitering in a place of illegal occupation?	18	Q Okay. When you have received training on the execution of
19	A	I remember receiving training, but I couldn't tell you the	19	search warrants, do you recall having been shown any
20		exact date and time in which I received it, but I'm sure I	20	written materials or videos, if you recall?
21		have before.	21	A I don't recall.
22	Q	- ·	22	Q Can you estimate approximately how long ago your most
23	A	Other than the normal statute, you can't sell liquor after	23	recent training on that subject has been?
24		two, minors can't be present on site, and, you know, some	24	A Maybe a year ago.
25		of the prostitution laws and ordinances, as far as	25	Q Okay. Do you recall receiving training on constitutional
			<u> </u>	
	-	Page 87		Page 89
1		· ·	1	Page 89
1 2	-	Page 87 offering to engage, utter not utter and publishing accosting and soliciting.	1 2	Page 89 standards? And what I mean by that is, in your police
	Q	offering to engage, utter not utter and publishing accosting and soliciting.	1	Page 89
2	Q	offering to engage, utter not utter and publishing accosting and soliciting.	2	Page 89 standards? And what I mean by that is, in your police training, do you recall anyone ever explaining what you
2 3		offering to engage, utter not utter and publishing accosting and soliciting.  And is it fair to say that what you just listed were the	2	Page 89 standards? And what I mean by that is, in your police training, do you recall anyone ever explaining what you can or cannot do according to the U.S. Constitution?
2 3 4		offering to engage, utter — not utter and publishing — accosting and soliciting.  And is it fair to say that what you just listed were the illegal activities?	2 3 4	Page 89 standards? And what I mean by that is, in your police training, do you recall anyone ever explaining what you can or cannot do according to the U.S. Constitution?  A Yes.
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2 3 4 5 6	A	offering to engage, utter — not utter and publishing — accosting and soliciting.  And is it fair to say that what you just listed were the illegal activities?  Yes.  And of the illegal activities that you just listed or from	2 3 4 5 6	Page 89 standards? And what I mean by that is, in your police training, do you recall anyone ever explaining what you can or cannot do according to the U.S. Constitution?  A Yes.  Q Okay. And how often have you been trained on that, if you recall?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q BY Q A Q	offering to engage, utter — not utter and publishing — accosting and soliciting.  And is it fair to say that what you just listed were the illegal activities?  Yes.  And of the illegal activities that you just listed or from anything that you remember, do you remember what illegal activity or what illegal occupation was occurring at the CAID?  I can't recall.  Okay. Do you recall any specific training that you have received on the Michigan muisance abatement statute?  MR. ASHFORD: Objection, asked and answered.  THE WITNESS: I can't recall anything right at this particular moment, no.  MS. JAMES:  Okay. Do you recall any specific training about the procedures for blind pig raids?  What type of procedures?  Do you recall any specific training on how to conduct blind pig raids?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	standards? And what I mean by that is, in your police training, do you recall anyone ever explaining what you can or cannot do according to the U.S. Constitution?  A Yes.  Q Okay. And how often have you been trained on that, if you recall?  A Annually.  Q Okay. When was your most recent annual training on that subject, if you recall?  A February of this year.  Q And do you recall, in your February of this year training, whether you received any written materials on the subject, received or reviewed? Was anything shown to you?  A Might have been a PowerPoint.  Q Okay. Do you recall where that training took place?  A Police academy.  Q And is that an operation that's run by the Detroit Police Department?  A Yes.  MS. JAMES: Let me consult with these two for one second, but I think we're tidy.
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### 2:10-cv-10675-VAR-MKM Doc # 84-24 Filed 04/17/12 Pg 25 of 25 Pg ID 2151

Anthony Potts, Sgt. 10/4/2011

24 (Pages 90 to 91)

Page 90

1	May 2008 CAID raid. Were you told at that briefing what
2	illegal activity was occurring at that location?
3	A Vice-related activity.
4	Q And is that what you were told?
5	A Yes.
6	Q You weren't told anything more specific than that?
7	A If they went into great detail, I couldn't recall.
8	Q And what is your understanding of vice-related activities?
9	What illegal activities?
10	A The things I stated earlier, the prostitution, the illegal
11	alcohol sales, et cetera, et cetera, et cetera.
12	MS. JAMES: Okay. I think we're good. Thank
13	you.
14	(Deposition concluded at 5:30 p.m.)
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STATE OF MICHIGAN)

Page 91

) ss, COUNTY OF OAKLAND) I, Denise Mcorfoot, a Notary Public in and for the above county and state, do hereby certify that the witness, whose attached deposition was taken before me in the entitled cause on the date and the time and place hereinbefore set forth, was by me first duly sworn to testify to the truth, the whole truth and nothing but the truth; that the testimony contained in said deposition was by me reduced to writing in the presence of said witness by means of stenography; that said testimony was thereafter reduced to written form by mechanical means; and that the deposition is, to the best of my knowledge and belief, a true and correct transcript of my stenographic notes so taken. I further certify that I am not of counsel to either party nor interested in the event of this ca Cumple Maddy (1907)
Denise Moorfoot
Notary Public, Oakland County Acting in the County of Wayne My commission expires: 10-30-11

## EXHIBIT 24

### 2:10-cv-10675-VAR-MKM Doc # 84-25 Filed 04/17/12 Pg 2 of 18 Pg ID 2153

Kathleen Singleton 1/12/2012

Page 1

1	UNITED STATES DISTRICT COURT
2	EASTERN DISTRICT OF MICHIGAN
3	SOUTHERN DIVISION
4	IAN MOBLEY, KIMBERLY MOBLEY,
5	PAUL KAISER, ANGIE WONG, JAMES WASHINGTON, NATHANIEL PRICE,
6	JEROME PRICE, STEPHANIE HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA
7	LEVERETTE, DARLENE HELLENBERG, THOMAS MAHLER, and LAURA MAHLER,
8	Plaintiff,
.9	No: 10-cv-1067 -vs- HON. VICTORIA A. OBERTS MAG. JUDGE MONA K. MAJZOU
10	CITY OF DETROIT, a municipal corporation; LIEUTENANT VICKY YOST,
11	a Detroit police officer, in her
12	individual capacity; SERCEANT DANILL BUGLO, a Detroit police officer, in
13	his individual capacity; SERGEANT G. McWHORTER, a Detroit police officer,
14	in his/her individual capacity;
	SERGEANT A. POTTS, a Detroit police officer, in his/her individual capacity;
15_	
16	officer, in his individual capacity; OFFICER M. BROWN, a Detroit police officer,
17	in his new individual capacity; OFFICER B. COLE, a Detroit police officer, in
18	his/her ind vidual capacity; OFFICER TYRONE ORAY, Defroit police officer, in his
19	individual capacity; OFFICER SHERON JOHNSON, a Detroit police officer, in her individual
20	capacity; OFFICER K. SINGLETON, a Detroit police officer, in his/her individual
21	capacity, and UNNAMED DETROIT POLICE OFFICERS, in their individual capacities,
22	Defendants.
23	·
24	



25

Pages 1 - 65.

### 2:10-cv-10675-VAR-MKM Doc # 84-25 Filed 04/17/12 Pg 3 of 18 Pg ID 2154

### Kathleen Singleton 1/12/2012

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1	The Deposition of OFFICER KATHLEEN	1	TABLE OF CONTENTS
2	SINGLETON, taken at 660 Woodward,	2	
3	Suite 1650, Detroit, Michigan,	3	WITNESS PAGE
4	commencing at 10:47 a.m.,	4	OFFICER KATHLEEN SINGLETON
5	Thursday, January 12, 2012,	5	Examination by Ms. James 5
6	Before Ann L. Bacon CSR-1297.	6	•
7		7	
8	APPEARANCES:	8	EXHIBITS
9		9	
10	MR. DANIEL S. KOROBKIN (P72842) (Not Present)	1. o	NUMBER PAGE
11	American Civil Liberties Union Fund of MI	11	Deposition Exhibit No. 1 7
12	2966 Woodward Avenue	12	(Notice of Taking Deposition)
13	Detroit, Michigan 48201	13	Deposition Exhibit No. 2 12
14	(313) 578-6824	14	(Student Performance Record)
15	dkorobkin@aclumich.org	15	Deposition Exhibit No. 3 37
16	Appearing on behalf of the Plaintiffs.	16	(DPD Activity Log)
17	A. D. WILLIAM GOODINA (MA 1459)	1.7	Deposition Exhibit No. 4 41
18	MR. WILLIAM H. GOODMAN (P14173)	18	(Crime Report No. 0805310096.1)
19	MS. KATHRYN BRUNER JAMES (P71374)	1.9	Deposition Exhibit No. 5 45
20	Goodman & Hurwitz, P.C.	20	(Crime Report No. 0805310096.3)
21	1394 East Jefferson Avenue	21	Deposition Exhibit No. 6 53
22	Detroit, Michigan 48201	22	(DPD Officer Information Report)
23	(313) 567-6179	23	Deposition Exhibit No. 7 55
24 25	bgoodman@goodmanhurwitz.com	24 25	(Sept. 15, 2010 Inter-Office Memo)
25	Appearing on behalf of the Plaintiffs.	25	
			D
	Page 3		Page 5
1	Page 3 APPEARANCES, Continued:	1	Detroit, Michigan
2	APPEARANCES, Continued:	1 2	Detroit, Michigan Thursday, January 12, 2012
2	APPEARANCES, Continued:  _MR_JERRY_ASHEORD_(P47402)	2 -3	Detroit, Michigan
2 34	APPEARANCES, Continued:  _MR_JERRY_ASHEORD_(P47402)  City of Detroit Law Department	2 -3 -4	Detroit, Michigan Thursday, January 12, 2012 10:47,a.m.
2 34 5	APPEARANCES, Continued:  MR_JERRY_ASHEORD.(P47402)  City of Detroit Law Department 660 Woodward Avenue, Suite 1650	2 -3- 4 5	Detroit, Michigan Thursday, January 12, 2012 10:47-a.m. OFFICER KATHLEEN SINGLETON
2 3 4 5 6	APPEARANCES, Continued:  _MR_JERRY_ASHEORD.(P47402)  City of Detroit Law Department 660 Woodward Avenue, Suite 1650  Detroit, Michigan 48226	2 -3 -4 5 6	Detroit, Michigan Thursday, January 12, 2012 10:47-a.m. OFFICER KATHLEEN SINGLETON was thereupon called as a witness herein, after
2 34 5 6 7	APPEARANCES, Continued:  _MR_JERRY_ASHEORD_(P47402)  City of Detroit Law Department 660 Woodward Avenue, Suite 1650  Detroit, Michigan 48226 (313) 237-3089	2 -3 -4 -5 -6 -7	Detroit, Michigan Thursday, January 12, 2012 10:47-a.m. OFFICER KATHLEEN SINGLETON was thereupon called as a witness herein, after having been first duly sworn to tell the truth,
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### Kathleen Singleton 1/12/2012

3 (Pages 6 to 9)

	3 (Pages	ь	LO 9)
	Page 6		Page 8
1	record that our deposition for former Detroit	1	to place on the record I will reserve my right
2	department employee Charles Turner, I understand	2	to re-call this witness, if any of the items
3	from my conversation with Mr. Ashford this	3	listed in the duces tecum are subsequently
4	morning, that we are cancelled for tomorrow.	4	produced, I'd reserve my right to re-call the
5	Q. (Continuing, by Ms. James) This deposition is	5	witness and question her about it. That's it
6	for a civil rights case pending in the Eastern	6	for that. I'll take it back if you'd like.
7	District of Michigan arising out of a raid that	7	A. I don't get to keep it?
8	occurred at the Contemporary Art Institute of	8	Q. (Continuing, by Ms. James) You can if you want,
9	Detroit on May 31st, 2008 and you are a named	9	sure. Did you review anything before your
1.0	· · · · · · · · · · · · · · · · · · ·	10	deposition today?
11		11	A. Yes.
12		12	Q. And I see that you have a couple of documents in
13	whose cars were towed and subjected to nuisance	13	front of you. May I take a look at those?
14	abatement proceedings at that incident. Let me	1.4	A. It's a log sheet, log sheet.
15	ask you have you ever been deposed before?	15	Q. Just for the record, I'm going to state that the
16	•	16	first document is an activity log dated May 31st,
17		17	2008. One of the officers listed on this
18		18	activity log is Officer Singleton. There is
19		19	another activity log dated May 30th, 2008, looks
20		20	like the vice enforcement activity log, and
21	• • •	21	that's it. Thank you. Did you review any of
22		22	the deposition transcripts for this case?
23		23	A. No.
24	, , , , ,	24	Q. Okay. I'm going to start off by asking you just
25	verbally because we need to make sure that the	25	some background information. Can you give me
			551110
	Page 7		Page 9
1	Page 7	1	Page 9
1 2	Page 7 record is clear. If you don't hear my question	1 2	Page 9 your full name and your badge number please?
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2 3 4 5	Page 7 record is clear. If you don't hear my question or you'd like it to be repeated back to you, just-let_me_knowLcan_repeat_it_or_the_court reporter can read it back to you. Likewise, if	2 _3_ 4 5	your full name and your badge number please?  A. Kathleen Marietta Singleton.  Q. Can you spell Marietta?  A. M-a-r-i-e-t-t-a. M-a-r-i-e-ro. M-a-r-i-e-t-t-a.  Q. Okay. Thank you. And what's your current department and rank in the
2 -3	Page 7 record is clear. If you don't hear my question or you'd like it to be repeated back to you, just-let_me_knowLcan_repeat_it_or_the_court reporter can read it back to you. Likewise, if you don't understand my question or if it's not clear to you, you can ask me for clarification,	2 3 4 5 6	your full name and your badge number please?  A. Kathleen Marietta Singleton.  Q. Can-you spell Marietta?  A. M-a-r-i-e-t-t-a. M-a-r-i-et-t-a.  Q. Okay. Thank you. And what's your current department and rank in the  A. Police officer, Detroit Police Department. I am
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	record is clear. If you don't hear my question or you'd like it to be repeated back to you,  just-let_me.knowLean_repeat_it_or_the_court_ reporter can read it back to you. Likewise, if you don't understand my question or if it's not clear to you, you can ask me for clarification, and please feel free to do so. And you're being represented here today by Mr. Ashford from the City of Detroit Law Department. He may make an objection periodically throughout the deposition, and if he does so, give him a moment to state his objection, but unless he instructs you not to answer, then you should answer after he's completed his objection. Do you understand all of those things I just discussed?  A. Yes, ma'am.  Q. All right. Thank you. First, I'm going to mark for the record Exhibit No. 1, the fourth dep notice. (Marked Exhibit No. 1.)  Q. (Continuing, by Ms. James) Here's a copy for you to take a look at. Just take a quick moment to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	your full name and your badge number please?  A. Kathleen Marietta Singleton.  Q. Can-you spell-Marietta?  A. M-a-r-i-e-t-t-a. M-a-r-i-e no. M-a-r-i-e-t-t-a.  Q. Okay. Thank you. And what's your current department and rank in the  A. Police officer, Detroit Police Department. I am assigned to Eastern District, but assigned out to human resources.  Q. Okay. And how long have you been with that assignment?  A. Which assignment?  Q. Human resources?  A. Year and a half.  Q. Okay. And how about assigned to the Eastern District?  A. I was assigned to Eastern District February 2009.  Q. Okay. Where did you graduate from high school?  A. Chadsey.  Q. I'm sorry?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	record is clear. If you don't hear my question or you'd like it to be repeated back to you, just-let-me-know. Lean-repeat-it.or-the.court-reporter can read it back to you. Likewise, if you don't understand my question or if it's not clear to you, you can ask me for clarification, and please feel free to do so. And you're being represented here today by Mr. Ashford from the City of Detroit Law Department. He may make an objection periodically throughout the deposition, and if he does so, give him a moment to state his objection, but unless he instructs you not to answer, then you should answer after he's completed his objection. Do you understand all of those things I just discussed?  A. Yes, ma'am.  Q. All right. Thank you. First, I'm going to mark for the record Exhibit No. 1, the fourth dep notice. (Marked Exhibit No. 1.)  Q. (Continuing, by Ms. James) Here's a copy for you to take a look at. Just take a quick moment to take a look at it, and to your knowledge have you seen this document before today?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	your full name and your badge number please?  A. Kathleen Marietta Singleton.  Q. Can-you spell Marietta?  A. M-a-r-i-e-t-t-a. M-a-r-i-e no. M-a-r-i-e-t-t-a.  Q. Okay. Thank you. And what's your current department and rank in the  A. Police officer, Detroit Police Department. I am assigned to Eastern District, but assigned out to human resources.  Q. Okay. And how long have you been with that assignment?  A. Which assignment?  Q. Human resources?  A. Year and a half.  Q. Okay. And how about assigned to the Eastern District?  A. I was assigned to Eastern District February 2009.  Q. Okay. Where did you graduate from high school?  A. Chadsey.  Q. I'm sorry?  A. Chadsey, C-h-a-d-s-e-y. That's in Detroit.  Q. Gotcha. And what year was that?
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### Kathleen Singleton 1/12/2012

4 (Pages 10 to 13)

	Page 10		Page 12
1	A. I've taken college courses.	1	Q. Okay. When did you take the promotional test?
2	Q. And where would that be?	2	A. I don't remember.
3	A. Wayne County Community College, one in Maryland.	3	Q. More than a year ago?
4	I can't remember the name of it.	4	A. Oh, yeah, way more than a year ago.
5	Q. The one in Maryland, was that online?	5	Q. Okay. And how long were you at the Fourth
6	A. No.	6	Precinct?
7	Q. You attended classes in Maryland?	7	A. I was at the Fourth Precinct from March '97 to
8	A. Yes.	8	November of `02.
9	Q. Okay. And have you completed any degrees or	9	Q. And where did you go
10	certifications?	10	A. Narcotics from November of '02 to February of,
11	A. No.	11	what did I say, '09.
12	Q. And what area for the classes that you have	12	Q. Okay. And at that time, that's when you went to
13	taken, what area of study were those?	13	Eastern District, is that right?
14	, ,	14	A. Yes, ma'am.
15		15	Q. Okay. I'll hand you what's being marked as
16		16	Exhibit No. 2, and just for the record in the
17	• •	17	upper left-hand corner the top page says Student
1.8	in? Did you work as a law enforcement officer	18	Performance Record.
19		19	(Marked Exhibit No. 2.)
20		20	Q. (Continuing, by Ms. James) Just starting with the very first page, I note that up towards the
21 22		21	upper middle toward the right-hand side there's
23	-	22 23	a set of dates from 9/30/96 to February 24, `97.
24		24	Are those the dates that you attended the academy?
25		25	A. Was in the academy, yes.
_	Page 11	_	Page 13
1	A. Yes.	1	Q. I'm sorry. I just need to remind you again to
2	A. Yes. Q. And when was that?	2	Q. I'm sorry. I just need to remind you again to wait until I'm finished just so the record is
2 3	A. Yes. Q. And when was that? A. '96,9/30/96.	2 _3	Q. I'm sorry. I just need to remind you again to wait until I'm finished just so the record isclear
2 3 4	A. Yes. Q. And when was that? A. '96, 9/30/96. Q. Is 9/30/96 when you completed or when you began?	2 -3 4	Q. I'm sorry. I just need to remind you again to wait until I'm finished just so the record is elear.  A. Okay.
2 34 5	A. Yes. Q. And when was that? A. '96, 9/30/96. Q. Is 9/30/96 when you completed or when you began? A. It was when I started at the police department.	2 -3 4 5	Q. I'm sorry. I just need to remind you again to wait until I'm finished just so the record is clear.  A. Okay.  Q. Have you ever seen this document before?
2 3 4	A. Yes. Q. And when was that? A. '96, 9/30/96. Q. Is 9/30/96 when you completed or when you began? A. It was when I started at the police department. Q. Gotcha. And is that also your date of hire?	2 -34 5 6	<ul> <li>Q. I'm sorry. I just need to remind you again to wait until I'm finished just so the record is clear.</li> <li>A. Okay.</li> <li>Q. Have you ever seen this document before?</li> <li>A. Nope.</li> </ul>
2 34 5 6 7	A. Yes. Q. And when was that? A. '96, 9/30/96. Q. Is 9/30/96 when you completed or when you began? A. It was when I started at the police department. Q. Gotcha. And is that also your date of hire? A. Yes.	2 4 5 6 7	<ul> <li>Q. I'm sorry. I just need to remind you again to wait until I'm finished just so the record is clear.</li> <li>A. Okay.</li> <li>Q. Have you ever seen this document before?</li> <li>A. Nope.</li> <li>Q. Okay. I'll ask you to turn the page and then</li> </ul>
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5 (Pages 14 to 17)

	5 (rages	_ <del>_</del>	CO 177
	Page 14		Page 16
1	in a place of illegal occupation?	1	section?
1 2	A. The one in the academy is the only one that I	2	A. How many work narcotics?
3	can remember.	3	Q. Yes.
4	Q. Okay. And in that academy in the training	4	A. Absolutely not. I have no idea.
5	I'm sorry. Back up. In that training in the	5	Q. Can you give me a ballpark? Is it dozens?
		6	A. More than five. There is no way I can remember
6	academy I should say were there any written	1	
7	materials that you recall?	7	how many people were working narcotics.
8	A. Not that I recall. It was so long ago.	8	Q. Can you give me some kind of a ballpark? Is it
9	Q. Okay. Have you ever received any specific	9	less than 100?
10	<b>5</b>	10	A. More than five.
11		11	Q. That's the best you can do?
12		12	A. Yes, ma'am. I mean you're asking me how many
13		13	people work narcotics in '08? It's 2011.
14	1 0	14	Honestly, I don't remember.
15	· · · · · · · · · · · · · · · · · · ·	15	Q. So you can't recall three years ago approximately
16	Q. Okay. Have you received any specific training	16	how many people
17	on the use of force other than what's listed in	17	A. How many officers?
18	Exhibit No. 2?	18	Q. Let me finish my question. You can't recall
19	A. Nothing other than what's listed.	19	three years ago approximately how many people
20	Q. Okay. As you sit here today, do you recall ever	20	worked in narcotics other than to say more than
21		21	five?
22		22	A. We can say more than 50.
23	=	23	Q. Okay.
24	don't know when.	24	A. Is that a little bit better number?
25	Q. Okay.	25	
	U. Okay,	14 J	MR. ASHFORD: Don't ask her questions.
			MR. ASHFORD: Don't ask her questions.
	Page 15		Page 17
1	Page 15  A. Don't remember.	1	Page 17 Q. (Continuing, by Ms. James) I don't know the answer.
1 2	Page 15  A. Don't remember.  Q. Is it your habit to keep written materials when	1 2	Page 17 Q. (Continuing, by Ms. James) I don't know the answer. A. I'm sorry. I apologize.
1	Page 15  A. Don't remember.  Q. Is it your habit to keep written materials when you receive them in training?	1 2 3	Page 17  Q. (Continuing, by Ms. James) I don't know the answer.  A. I'm sorry. I apologize.  Q. That's okay. Ldon't know the answer. It's not
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1 2 	A. Don't remember. Q. Is it your habit to keep written materials when you-receive-them-in-training? A. No. Q. I'd like to draw your attention to the time	1 2 3	Page 17  Q. (Continuing, by Ms. James) I don't know the answer.  A. I'm sorry. I apologize.  Q. That's okay. Ldon't know the answer. It's not a right or wrong question because I don't know the answer. I'm looking to you to give me
1 2 -34	A. Don't remember. Q. Is it your habit to keep written materials when you receive them in training? A. No.	1 2 3	Page 17  Q. (Continuing, by Ms. James) I don't know the answer. A. I'm sorry. I apologize. Q. That's okay. Ldon't know the answer. It's not a right or wrong question because I don't know the answer. I'm looking to you to give me whatever information you can recall.
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## Kathleen Singleton 1/12/2012

6 (Pages 18 to 21)

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	Page 18		Page 20
1	me? What does the narcotics bureau do that's	1	Q. I'm asking if you can give me a ballpark. That's
2	different from other units within the DPD?	2	all.
3	A. We raid houses.	3	A. More than ten.
4	Q. Anything else?	4	Q. Okay. And let me think how I want to ask this
5	A. No, because other units can enforce narcotic	5	question. Give me a moment please. The more
6	laws, so we raid houses.	6	than two blind pig raids that you participated
7	Q. Okay. During that time period, around May 31st,	7	in, were those did they occur within a
8	2008, what was the relationship between the	8	certain time period?
9	Narcotics Bureau and vice enforcement?	9	A. I can say they occurred while I was at narcotics.
1.0	A. What do you mean?	10	Q. Okay. Did you ever participate in a blind pig
11	Q. Okay. Were there ever times where the narcotics	11	raid as a member of any unit other than narcotics?
12	unit in your experience would work on operations	12	A. No.
13	with vice enforcement?	13	Q. Okay. Now, when narcotics was asked to
14	A. Yes.	14	participate in a blind pig raid, what is your
15	<b>C</b>	15	understanding of the role of narcotics officers?
16		16	A. Assist.
17	1.	17	Q. What does that mean? Assist doing what?
18		18	A. Assist entering the location, securing the
19		19	location.
20	1 '	20	Q. Okay. So once the location is entered and
21	2 2	21	secured, was the narcotic team done essentially
22	*	22	or was there anything further than that?
23	*	23	A. No, we would stick around for presence or write
24	` •	24	tickets or, you know, we would assist, whatever
25	A. On anything, if they ask for help.	25	they asked us for.
	Page 19		Page 21
1		1	Page 21 Q. Okay. And based on your memory, are there any
1 2	Q. So based on your memory, what kinds of operations do you recall assisting vice enforcement as a	1 2	-
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7 (Pages 22 to 25)

	Page 22		Page 24
1	Q. Okay. And	1	A. You wouldn't give information you wouldn't
2	A. I would have done an activity log, definitely.	2	pre-charge somebody with something until you
3	Q. Okay. Do you recall ever doing a PCR or a CRISNET	3	enter the location.
4	or a narrative report?	4	Q. Okay.
5	A. For this one or for any?	5	A. That's just no, I wouldn't have gotten that
6	Q. For any blind pig raid.	6	information prior to the raid. That's just
7	A. I can't remember,	7	Q. All right. To your knowledge would there be any
8	Q. Okay. Now we are going to focus in on this	8	documents for this raid that would describe what
9	particular raid on May 31st, 2008, okay?	9	each officer was assigned to do the night of the
10	A. Okay.	10	raid?
11	Q. Who gave you your instructions for this particular	11	A. You have to check with vice. To my knowledge, I
12	raid?	12	wouldn't know.
13	A. I don't remember. Whoever was in charge of vice	13	Q. Okay. Did you create any documents regarding
14	because it was a vice operation, so they would	14	what your actions were that night?
15		15	A. No.
16	• •	16	Q. Okay. Let's talk about the briefing for just a
17		17	moment. Were you present at a briefing prior to
18	1	1.8	this raid?
19	• •	19	A. Practices are you would be present to a briefing
20	•	20	prior to entering the location. What was said
21	**	21	at the briefing, I have no idea.
22		22	Q. So are you saying that you don't remember
23		23	whether or not you were at a briefing, but
24		24	A. No, I'm telling you that you would have to be at
25	have done that. I do not remember who it was.	25	a briefing in order to assist the unit into
	Page 23		Page 25
1	Page 23  It was not our case. We were just assisting.	1	Page 25 entering the location, so there might have been
1 2	•	1 2	entering the location, so there might have been a briefing on the location is at ABC spot. It's
	It was not our case. We were just assisting.  Q. Okay.  A. So.it.was.not.something.that.L.would.try.to.		entering the location, so there might have been a briefing on the location is at ABC spot. It's this wide. It's many doors. You would
2	It was not our case. We were just assisting.  Q. Okay.  A. So.it.was.not.something.that.L.would.try.to- remember every detail to.	2	entering the location, so there might have been a briefing on the location is at ABC spot. It's this wide. It's this many doors. You would have gotten general information on it. You
2 3	It was not our case. We were just assisting.  Q. Okay.  A. So.it.was.not.something.that.L.would.try.to remember every detail to.  Q. Okay.	2	entering the location, so there might have been a briefing on the location is at ABC spot. It's this wide. It's this many doors. You would have gotten general information on it. You would have gotten, you know, just the basic
2 34	It was not our case. We were just assisting.  Q. Okay.  A. So.it.was.not.something.that.L.would.try.to- remember every detail to.  Q. Okay.  A. Okay?	2 _34 _5 _6	entering the location, so there might have been a briefing on the location is at ABC spot. It's this wide. It's this many doors. You would have gotten general information on it. You would have gotten, you know, just the basic information on the location before you would
2 -3	It was not our case. We were just assisting. Q. Okay. A. So.it-was.not-something.that.L.would-try-to-remember every detail to. Q. Okay. A. Okay? Q. Fair enough. So was it someone at vice who made	2 _34 _5	entering the location, so there might have been a briefing on the location is at ABC spot. It's this wide. It's this many doors. You would have gotten general information on it. You would have gotten, you know, just the basic information on the location before you would raid blind pigs, anything, before you do
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8 (Pages 26 to 29)

	Page 26		Page 28
1	know, not that we would read it, if there was a	1	Q. Hold on just a second. If it reveals information
2	search warrant or if there was any other	2	that would be helpful to the raid team, then it
3	documentation, it would be typically in a	3	would be important for the undercover officers to
4	discussion, in a raid discussion and that would	4	either give that information at the briefing or
5	be it.	5	give the information to the officers conducting
6	Q. Okay. And during those briefings, would you be	6	the briefing. Is that fair?
7	told whether or not there was any surveillance	7	A. Right. That's what I said earlier. I said that.
8	information about weapons being present at the	8	Q. I just wanted to make sure we were on the same
9	location?	9	page.
10		10	A. Yep.
11.	· ·	11	Q. All right. So at these briefings, I know you
12		12	mentioned that the warrant is sometimes read, is
13		13	that correct?
14		14	A. If there is one, then yes, it would have been
15		15	read.
16	·	16	Q. Right.
17		17	A. Or information would have been given that was
18		18	necessary for it.
19		19	Q. So the raid that we are talking about on May 31st,
20		20	2008, that was a raid that was pursuant to a
21		21	warrant, so I think for the purposes of our
22		22	discussion, we can assume when we're talking
2.3		23	about raids, we'll talk about raids pursuant to
24	-	24	a warrant, okay? So when there is a briefing,
25		25	if there is a warrant, is that always read?
	Willow do didy got more intermediation in diff.		II thorough whattam, is that always round.
	Page 27		Page 29
1	A. I don't know.	1	A. It's not read word for word. The key information
· 2·	A. I don't know. Q. Okây. Is it fair to say that sometimes it comes	2	A. It's not read word for word. The key information would be given off of it.
· 2 3	A. I don't know.     Q. Okay. Is it fair to say that sometimes it comes from.the_undercover_operations?	2 _3	A. It's not read word for word. The key information would be given off of it.      Q. I-see. Okay.
· 2 3	A. I don't know.     Q. Okay. Is it fair to say that sometimes it comes from the undercover operations?      A. I can't answer that.	2 _34	A. It's not read word for word. The key information would be given off of it.      Q. I-see. Okay.      A. If there was a warrant for it. I don't know if
2 3 4 5	A. I don't know.     Q. Okay. Is it fair to say that sometimes it comes	2 _34 5	A. It's not read word for word. The key information would be given off of it.      Q. I-see. Okay.      A. If there was a warrant for it. I don't know if there was.
2 3 4 5 6	<ul> <li>A. I don't know.</li> <li>Q. Okây. Is it fair to say that sometimes it comes from the undercover operations?</li> <li>A. I can't answer that.</li> <li>Q. Okay. Have you ever participated in an undercover operation prior to a raid?</li> </ul>	2 3 4 5 6	<ul> <li>A. It's not read word for word. The key information would be given off of it.</li> <li>Q. Lsec. Okay.</li> <li>A. If there was a warrant for it. I don't know if there was.</li> <li>Q. Right. I'm asking you to assume that what we're</li> </ul>
2 -3 -4 -5 -6 -7	<ul> <li>A. I don't know.</li> <li>Q. Okây. Is it fair to say that sometimes it comes from the undercover operations?</li> <li>A. I can't answer that.</li> <li>Q. Okay. Have you ever participated in an undercover operation prior to a raid?</li> <li>A. Yes.</li> </ul>	2 4 5 6 7	<ul> <li>A. It's not read word for word. The key information would be given off of it.</li> <li>Q. Lsee. Okay.</li> <li>A. If there was a warrant for it. I don't know if there was.</li> <li>Q. Right. I'm asking you to assume that what we're talking about is when there is a warrant, then</li> </ul>
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9 (Pages 30 to 33)

	D 20		Dage 22
	Page 30		Page 32
1	nothing about this that would stand out to help	1	A. Just we had our raid uniform on, our raid gear.
2	me remember it. I was part of a raid crew that	2	Q. Would you have a flashlight or anything else in
3	was asked to assist vice. I can't even tell you	3	your hand?
4	what my position was.	4	A. Yeah, you would have a flashlight. I don't know
5	Q. Okay.	5	if I had it out. I don't know. If everybody
6	A. Because I don't even remember.	6	else had a flashlight, I might not need it in my
7	Q. And to your knowledge are there any documents	7	hand, but I know I carry a flashlight.
8	stating what your position was?	8	Q. So a flashlight is part of
9	A. To my knowledge, not that I know of, unless you	9	A. My uniform.
10	can check with vice, not that I know of.	10	Q your usual equipment, but you can't recall
11	Q. Okay. Do you recall anything about the building,	11	whether or not you had it in your hand?
12	anything that you saw that evening? Do you	12	A. If I had it out, right, because if everybody
13	recall anything?	13	else had one.
14	A. Not really. He told me, I know it is near Wayne	14	Q. Now, is it also correct that normally someone in
15	State, that this location was near Wayne State	15	that initial team will have a shotgun, is that
16	and it was on Rosa Parks. That was it.	16	right?
17	Q. And do you recall that from reviewing your	17	A. Yes.
18	activity log or do you recall that from your	18	Q. Do you recall who had the shotgun on that raid?
19	memory?	19	A. No.
20	A. Reviewing paperwork.	20	Q. Okay. If you wanted to find out, how would you
21	Q. Okay. So you can't elaborate anymore than you	21	find out?
22	were assigned to assist vice enforcement, is	22	A. You could ask vice.
23	that right?	23	Q. Would vice necessarily give the instruction as
24	A. That's right. Like I said, it wasn't narcotics,	. 24	to who would have the shotgun?
25	it was vice, so when you're just assisting	25	A. They wouldn't necessarily give the instruction
	Page 31		Page 33
1		1	<u>.</u>
1 2	Q. So you don't recall how you entered the building?	1 2	on who would have the shotgun. There was more
2	Q. So you don't recall how you entered the building? A. No.	2	on who would have the shotgun. There was more than one raid crew assisting. You had vice and
2	Q. So you don't recall how you entered the building? A. No. Q. Okay. Do-you recall-whether or not you were		on who would have the shotgun. There was more
2 3	Q. So you don't recall how you entered the building?  A. No.  Q. Okay, Do-you-recall-whether-or-not-you-were part of the initial entry team, the first group	2	on who would have the shotgun. There was more than one raid crew assisting. You had vice andnarcotics.here, so
2 34	Q. So you don't recall how you entered the building? A. No. Q. Okay. Do-you recall-whether or not you were	2 -3 -4	on who would have the shotgun. There was more than one raid crew assisting. You had vice and narcotics.here, so Q. Okay.
2 3 4 5	<ul> <li>Q. So you don't recall how you entered the building?</li> <li>A. No.</li> <li>Q. Okay. Do-you-recall-whether-or-not-you-were part of the initial entry team, the first group of people in the door?</li> </ul>	2 34 5	on who would have the shotgun. There was more than one raid crew assisting. You had vice and narcotics.here, so.=-  Q. Okay. A. There is a number of people that could be shotgun
2 3 4 5 6	<ul> <li>Q. So you don't recall how you entered the building?</li> <li>A. No.</li> <li>Q. Okay: Do-you-recall-whether-or-not-you-were part of the initial entry team, the first group of people in the door?</li> <li>A. No.</li> </ul>	2 -3 -4 5 6	on who would have the shotgun. There was more than one raid crew assisting. You had vice and narcotics.here, so
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q. So you don't recall how you entered the building?</li> <li>A. No.</li> <li>Q. Okay, Do you recall whether or not you were part of the initial entry team, the first group of people in the door?</li> <li>A. No.</li> <li>Q. You don't recall whether there was a knock and announce?</li> <li>A. No.</li> <li>Q. You don't recall whether you don't recall what you observed when you entered the building?</li> <li>A. Honestly, ma'am, I'm not trying to be difficult. I don't remember it.</li> <li>Q. Okay. Do you recall who was the person well, do you recall what you were equipped with that evening?</li> <li>A. If we're doing a raid, I'm going to have my raid vest, my regular vest, my weapon. I'm going to have clear markings that says I'm a police officer.</li> <li>Q. I'm sorry. Can I interrupt you for just a moment? What would your weapon be?</li> <li>A. At the time I think it was a Glock. I think they were Glocks at the time.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	on who would have the shotgun. There was more than one raid crew assisting. You had vice and narcotics.here, so.—  Q. Okay.  A. There is a number of people that could be shotgun trained to do it, so.—  Q. Was there any other units other than vice and narcotics that you know of?  A. I'm just looking at vice and narcotics right here.  Q. Okay. If you wanted to find out if there were any units in addition, do you know how you would find out?  A. Vice. They would have it in their paperwork.  Q. Oh, okay.  MS. JAMES: And I'm just going to state on the record that at this point in time we have not yet received a full list of officers who were involved in this particular raid and at this late time in discovery, I'm going to be asking that we — I'm going to be seeking sanctions on this issue and I'll ask Mr. Ashford to stipulate to an extension of discovery, but it's awfully late in the game to be figuring out

10 (Pages 34 to 37)

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	Page 34		Page 36
٦	enter a building as part of the entry team, would	1	A. They could have.
1 2	you have your weapon in your hand or in its holster?	2	Q. Okay. And under what circumstances might that
		3	occur?
3	A. If I was entry no, yeah, I would.		
4	Q. Okay.	4	A. If they're doing a pat-down and feel something
5	A. If I was entry or even if I was outside	5	in their pocket that is sharp or, yeah, they
6	security, I would have my weapon in my hand.	6	would see what it is.
7	Q. Okay. And I've heard the term from some other	7	Q. Okay.
8	officers low ready. Is that a term that you're	8	A. That's part of doing a pat-down.
9	familiar with?	9	Q. But only following a pat-down. Is that fair?
10	A, Yes.	10	A. Yeah, that's fair.
1.1	Q. Can you tell me what that term means to you?	11	Q. Okay. How long were you at the Contemporary Art
12	A. Means you have the weapon in your hand, it's	12	Institute of Detroit that night?
13	just not aimed or pointed at anybody. It's in a	13	A. I don't remember.
14	lowered position, but if any trouble should jump	14	Q. If you wanted to find out, how could you find out?
15	out, you are ready for it.	1.5	A. Check with vice's paperwork.
16	Q. And is low ready the position that you would	16	<ul> <li>Q. You don't have any paperwork that says how long</li> </ul>
17	A. Typically be in, yes.	17	you were there?
1.8	Q. I'm sorry. I just have to finish my question.	18	A. No, ours I'm looking at our activity log and
19	A. Sorry about that, just guessing.	19	it says what time we started, what time we got
20	Q. I'm just trying to get the record clear.	20	off. It says everything else, see vice's
21	A. I know. Sorry, sorry.	21	activity log.
22	Q. You know what's coming, but let's just clarify	22	Q. Okay. All right. I have a copy of your
23	that really quickly. I apologize to take the	23	activity log, too.
24	time to do this, but when you're part of an	24	MS. JAMES: Let's mark that as an
25	entry team in a raid, would you normally enter	25	exhibit.
	Page 35		Page 37
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	4 1 9 9 9 9 4 4 1 3 6	۱ - ۱	(A. K J. 172. J. 23. 24 A.T 2. A
1	the building with your weapon at a low ready?	1.	(Marked Exhibit No. 3.)
2	A. Yes, ma'am.	2	Q. (Continuing, by Ms. James) So we're marking for
2 	A. Yes, ma'am.  Q. Okay. At-this-particular-raid, do you-recall	2 3	Q. (Continuing, by Ms. James) So we're marking for the record Exhibit No. 3-a Detroit Police.
2 3 4	A. Yes, ma'am.  —Q.—Qkay.—At this-particular-raid, do-you-recall————— whether any officers moved their gun from a low	2 -3- 4	Q. (Continuing, by Ms. James) So we're marking for the record-Exhibit-No. 3-a-Detroit-Police————————————————————————————————————
2 3 4 5	A. Yes, ma'am.     Q. Okay. At-this-particular-raid, do-you-recall whether any officers moved their gun from a low ready to actually point it at anyone?	2 -3- 4 5	Q. (Continuing, by Ms. James) So we're marking for the record-Exhibit-No3-a-Detroit-Police.  Department activity log dated May 31st, 2008.  There are four officers including yourself
2 3  4 5 6	A. Yes, ma'am.     O. Okay. At-this-particular-raid, do you-recall whether any officers moved their gun from a low ready to actually point it at anyone?  A. I have no idea.	2 -3- 4 5 6	Q. (Continuing, by Ms. James) So we're marking for the record-Exhibit-No. 3-a-Detroit-Police.  Department activity log dated May 31st, 2008.  There are four officers including yourself listed here. Do you recall whether all four of
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A. Yes, ma'am.</li> <li>Q. Okay. At-this-particular-raid, do you-recall whether any officers moved their gun from a low ready to actually point it at anyone?</li> <li>A. I have no idea.</li> <li>Q. Okay. Do you recall how the subjects at this particular raid were searched?</li> <li>A. Pat-down, only because that's how we would have done it.</li> <li>Q. Okay. Do you recall whether you do you recall whether you patted down any subjects yourself?</li> <li>A. Typically I probably would have. Do I know if I did? I don't remember.</li> <li>Q. Okay. Do you know whether any officers asked people to empty or turn out their pockets?</li> <li>A. It's something that typically would have been asked, but I do not know if it was done or who done it.</li> <li>Q. But it is typical to ask a subject to turn out their pockets?</li> <li>A. Well, yes, something to that, yeah.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>Q. '(Continuing, by Ms. James) So we're marking for the record-Exhibit-No.3-a-Detroit-Police.  Department activity log dated May 31st, 2008.  There are four officers including yourself listed here. Do you recall whether all four of these officers were involved in the raid?</li> <li>A. There's six officers listed.</li> <li>Q. Oh, I'm sorry. I see</li> <li>A. Seven actually.</li> <li>Q. I see Smith, Jackson, Singleton and Johnson. Can you show me where the other officers are listed?</li> <li>A. On the first line.</li> <li>Q. Okay.</li> <li>A. Where it says disposition up under it.</li> <li>Q. Okay. Kisselburg, Hopkins and Penn, is that right?</li> <li>A. Yep.</li> <li>Q. So these officers on that top line were also part of this this is their activity log, too, is that right?</li> <li>A. This is this raid crew's activity log, so everybody listed on this activity log is part of one raid</li> </ul>

11 (Pages 38 to 41)

	(5	1	•
	Page 38		Page 40
1	A. And this is our activity log.	1	document that records in any way your participation
2	Q. I see. Okay. And then the next line, referring	2	in this raid?
		3	A. To my knowledge, yes.
3	to another officer, that person wasn't on duty	1	Q. Okay. In the section in the middle titled Recap
4	that day, is that right?	4	
5	A. Right.	5	of Activity, do you have any understanding of
6	Q. Okay. All right. So backing up to my original	6	why there are zeros in some of these boxes while
7	question, for the seven people for whom this is	7	the rest are blank?
8	their activity log, is it your understanding	8	A. Narcotics didn't make any of these arrests. You
9	that all seven of these officers were involved	9	have zero felony, zero misdemeanor. Actually,
10	in the raid that evening?	10	probably somebody didn't take the zeros out,
11	A. According to this activity log, we all worked	11	more than likely.
12	that day.	12	Q. I'm not sure what you mean by that.
13	Q. But are you saying that you didn't all necessarily	13	A. It would be a recap of the day to go on our stats.
14	participate in the raid?	14	If you're assisting another crew, they're not
15	A. It goes back to, ma'am, I honestly don't	15	your stats. They're that crew's stats.
16	remember. Looking on here, all seven of us	16	Q. Okay.
17	worked this day. We all worked from 12 to	1.7	A. So that's what is reflecting our stats.
18	eight, and as it states on here, we did a	18	<ul> <li>Q. I guess I'm asking a slightly different question.</li> </ul>
19	briefing. We went to the location, then we were	19	Do you have any understanding of why there are
20	off duty.	20	zeros there instead of it simply being blank?
21	Q. Okay.	21	A. No.
22	A. As it says, see raid, vice's raid.	22	Q. Okay.
23	Q. Okay.	23	A. There is no reason for it.
24	A. That's it. I don't know who was where or who	24	Q. Okay. Just one more clarification question
25	did what.	25	about this document. I want to make it clear
	Page 39		Page 41
	Page 39		Page 41
1	Q. My question is would the few items that are	1	I'm not asking you where this location is, but
2	Q. My question is would the few items that are listed on here, busy at base, and then 5141 Rosa	2	I'm not asking you where this location is, but what does Base 22 refer to?
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12 (Pages 42 to 45)

	12 (1490)	- <del>-</del>	CO	23,
	Page 42			Page 44
1	loitering in a place of illegal occupation by	1		you issue a ticket for loitering in a place of
2	PO K. Singleton. That's you, right?	2		illegal occupation?
3	A. Yes.	3		You write it on the ticket.
4	Q. Okay. What did you observe Samantha Gold doing	4	Q.	Okay. And then what?
5	that authorized ticketing her for loitering in a	5	À.	
6	place of illegal occupation?	6	Q.	Okay. And are there other copies?
7	A. I don't remember.	7	À.	
8	Q. Okay. Is it recorded anywhere?	8	Q.	Okay. And what happens to the hard copy?
9	A. I didn't do the report.	9	À.	
1.0	Q. Okay. If there was a criminal prosecution	10	Q.	
11	against Miss Gold, would it be typical for the	11	•	the Detroit Police Department?
12	ticketing officer to be called to testify?	12	A.	Again, I would have to say vice handled this.
13	A. Yes.	13		Vice would have everything. I wouldn't have it.
14	Q. Okay. And so if you were called to testify about	14		Narcotics wouldn't have it. Everything would
15	what you observed her doing, how could you do that?	15		have reverted to vice. That's why this is their
16	A. There would be a ticket. She was issued a	16		report. This is their set-up.
17	ticket, so I could refer to the ticket, but it	17	Q.	But you issued some tickets, right?
18	wouldn't be this many years later, and if it was	18	A.	And vice handled it.
19	this many years later, I would tell you the same	19	Q.	Okay. So you don't keep copies of tickets that
20	thing I would tell the judge. I don't remember.	20		you issue?
21	Q. What's usually on the ticket? I realize you	21	A.	No.
22		22	Q.	Is that right?
23	on these tickets?	23	A.	Right.
24	A. Loitering in a place of illegal occupation.	24	Q.	Okay. How was it decided which officer would
25	Q. There's no description about what you observed	25		issue which officers would issue tickets for
23	Q. There's no description about what you observed	2		18500 WIIION OLLIOOIS WOULD ISSUE HOROES XOI
	Page 43			Page 45
	Page 43			Page 45
1	Page 43 this person doing?	1		Page 45 anything?
1 2	Page 43 this person doing? A. No.	1 2	Α.	Page 45 anything? Whoever started writing the tickets would issue
1 2	Page 43 this person doing? A. No. Q. So there is no documentation about what this	1	Α.	Page 45 anything? Whoever started writing the tickets would issue that-person-a-ticket.
1 2 -3-4	Page 43 this person doing? A. No.	1 2	A. Q.	Page 45 anything? Whoever started writing the tickets would issue that person-a-ticket. What does that mean?
1 2	Page 43 this person doing? A. No. Q. So-there is no documentation about what this person was doing?	1 2 -3	A. Q. A.	Page 45 anything? Whoever started writing the tickets would issue that-person-a-ticket.
1 2 3 4 5	this person doing?  A. No.  Q. So-there is no documentation-about-what-this-person was doing?  A. No.  Q. Okay. And I'm afraid I have to ask you the same	1 2 3. 4 5	A. Q. A.	Page 45 anything? Whoever started writing the tickets would issue that person-a-ticket. What does that mean? If I'm writing tickets, then I would issue the person a ticket.
1 2 3 4 5 6	Page 43 this person doing? A. No. Q. So-there is no documentation about what this person was doing? A. No.	1 2 -34 5 6	A. Q. A.	Page 45 anything? Whoever started writing the tickets would issue that-person-a-ticket. What does that mean? If I'm writing tickets, then I would issue the
1 2 4 5 6	this person doing?  A. No.  Q. So there is no documentation about what this person was doing?  A. No.  Q. Okay. And I'm afraid I have to ask you the same questions about defendant number 37, Stephanie Hollander, and just bear with me. What did you	1 2 3 4 5 6	A. Q. A. Q. A.	Page 45 anything? Whoever started writing the tickets would issue that person-a-ticket. What does that mean? If I'm writing tickets, then I would issue the person a ticket. How is it decided that you would write the tickets?
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	this person doing?  A. No.  Q. So-there is no documentation about what this person was doing?  A. No.  Q. Okay. And I'm afraid I have to ask you the same questions about defendant number 37, Stephanie Hollander, and just bear with me. What did you observe Stephanie Hollander doing that authorized ticketing her for loitering in a place of illegal occupation?  A. Go back to the same answer I said before.  Q. And you don't have any documentation of what you observed her doing?  A. I don't, ma'am.  MS. JAMES: And again, just for the record, we've requested and not received the tickets that were issued that evening and we continue to strenuously request them.  Q. (Continuing, by Ms. James) When these tickets are issued, what happens when the tickets are issued?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A. Q. A. Q. A. Q. Q. Q.	anything? Whoever started writing the tickets would issue that person a ticket. What does that mean? If I'm writing tickets, then I would issue the person a ticket. How is it decided that you would write the tickets? Who writes tickets? They would just say, "Can you guys start writing tickets?" Okay. And at this particular That's typical. Okay. At this particular incident, what is your understanding of the basis on which you were writing these tickets? Somebody giving you just basic information, somebody would have said write tickets for loitering in a place of illegal occupation. And who would have said that? Somebody from vice. Okay. (Marked Exhibit No. 5.) (Continuing, by Ms. James) All right. We've

13 (Pages 46 to 49)

	Page 46		Page 48
1	number is the same except at the end it's .3.	1	you're towing a car for any reason.
2	Have you ever seen this record before?	2	Q. Okay. So is there anything in addition, anymore
3	A. No.	3	paperwork that's filled out when a car is being
4	Q. I'd like to direct your attention to page two	4	abated?
5	toward the bottom. It says VEU 63. It	5	A. Yes.
6	indicates that Daniel Brancheau was issued a	6	Q. Okay. And what would that be?
7	ticket for loitering in a place of illegal	7	A. Intent of forfeiture, or this one, I think it
8	occupation by K. Singleton and then it lists a	8	was a nuisance and abatement. I don't know what
9	vehicle. To your knowledge does this document	9	it says at the top, but there is two different
1.0		10	forfeiture sheets that you could fill out, so
11		11	I'm not sure which one I filled out for this one.
12		12	Q. I'm sorry. Can you make the distinction for me
13		13	what the two different ones are?
14		14	A. There's a forfeiture sheet that you fill out
1.5		15	when you forfeit something from a person.
16		16	Q. Okay.
1.7		17	A. Or there would be the nuisance abatement paper
18		18	that would be filled out. Which one was filled
19		19	out, I don't know.
20		20	Q. I see. Okay. And do you know whether the
21		21	police department retains a copy of either of
22		22	those documents that you just described?
23		23	A. Forfeiture or vice.
24		24	Q. Forfeiture or vice, okay.
25		25	MS. JAMES: And again, just for the
20	A, As I stated carnot, tills is vice. Vice weard	p -	
		<u> </u>	
bagus guarges.	Page 47		Page 49
1	Page 47	1	Page 49
1 2	Page 47 have made any of those decisions, not me.	1 2	
2	Page 47 have made any of those decisions, not me.  Q. Okay. What documents are generated when a vehicle	Į.	Page 49 record, we've requested those documents for this incident and have not obtained them.
2	Page 47 have made any of those decisions, not me. Q. Okay. What documents are generated when a vehicle is-seized and abated?	2	Page 49 record, we've requested those documents for this
2 3	Page 47 have made any of those decisions, not me. Q. Okay. What documents are generated when a vehicle is-seized-and-abated? A. Impound card.	2 _3	Page 49 record, we've requested those documents for this incident and have not obtained them.  Q.—(Continuing, by Ms. James) Do you know how many
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14 (Pages 50 to 53)

	±1 (10000		CO 50)
	Page 50		Page 52
1	your recollection that it's customary or typical	1	enforcement in a blind pig raid?
1 2	for the persons who are present in that location	2	A. If vice would have said this is a place of if
	to be ticketed with loitering in a place of	3	it was illegal, whatever they were doing in that
3	illegal occupation?	4	location and they stated that people in here are
4	<b>Q</b> .	5	illegally in this location and they're not
5	A. That can be a ticket that they receive, it can be.	6	supposed to be in this location or doing whatever
6	Q. And is it right that there are typically a	7	they're doing, then you would issue them that
7	smaller group of people who are ticketed for	8	ticket because that's pretty much the ticket you
8	engaging in an illegal occupation, is that right?	9	would issue them, right.
9	A. That would be a question you need to ask vice.		Q. Okay. So the procedure, if I understand it
10		10	
11		11	correctly, is that vice enforcement makes the
12	5 F F F F F F F F F F F F F F F	12	call, makes the decision on what charges are to
13		13	be brought?
14		14	A. Yes, ma'am.
15	g ,	15	Q. Okay. All right. Are you familiar with the
16	Q. Okay. I guess the question I'm asking is is the	16	citizen complaint procedure?
17	productive to more than the productive to the terms of	17	A. No, ma'am.
18	are there other charges that you think might be	18	Q. Okay. Do you know whether or not you've had any
19	appropriate?	19	citizens complaints filed against you?
20	The second of th	20	A. Yes, ma'am.
21	· · · · · · · · · · · · · · · · · · ·	21	Q. Okay. Have you ever had any complaints that
22	Q. I see. Okay. But it is your experience that	22	were sustained or where you were found to have
23	you have issued such tickets at these raids,	23	acted improperly?
24	right?	24	A. I don't remember.
25	A. They can be issued in these cases, yes.	25	Q. You don't remember. Okay.
	11, They can be issued in those cases, year	1	Q. Tog delit reliienses. Chag.
	Page 51		Page 53
1	Page 51	1	Page 53
1	Page 51  Q. I'm not asking whether they can or cannot be.	1 2	Page 53 (Marked Exhibit No. 6.)
2	Page 51  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.	2	Page 53  (Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you
2	Page 51  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based off of this one right here, yes, because	2	Page 53  (Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page
2 3 4	Page 51.  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based-off-of-this-one-right-here, yes, because obviously I did if my name is on one.	2 _3_ 4	Page 53  (Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page says Detroit Police Department Officer Information
2 3 4 5	Page 51.  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based off of this one right here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at	2 -3 -4 5	Page 53  (Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape
2 4 5 6	Page 51.  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based-off-of-this-one-right-here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at any blind pig raid?	2 -3 -4 -5 -6	Page 53  (Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape format and the second page says at the top Citizen
2 4 5 6 7	Page 51  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based-off-of-this-one-right-here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at any blind pig raid?  A. When you work when you're assisting a unit,	2 3 4 5 6 7	Page 53  (Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape format and the second page says at the top Citizen Complaint Report Filed Against DPD Officer and
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Page 51.  Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based-off-of-this-one right-here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at any blind pig raid?  A. When you work when you're assisting a unit, assisting pretty much basically whatever they need help on, that's what you're going to do for them. So if I assisted on another one and they asked me to write that ticket for them, I might have. I don't remember any of it because it's not something that stands out in my mind.  Q. Okay.  A. Just I mean probably, probably have wrote it.  Q. Okay. And you certainly did here, right?  A. According to the paperwork.  Q. Okay. And that ticket was issued not based on your own decision, based on what you observed that person doing, but rather it was based on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	(Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape format and the second page says at the top Citizen Complaint Report Filed Against DPD Officer and this is the record for Kathleen Singleton. Have you seen either of these documents before?  A. No.  Q. Okay. I'd just like to direct your attention to the first page. The second entry there BPC #01-0130 CCR #30907. It says, Allegation, procedure; findings, improper c; unit, Fourth Precinct; closed August 2nd, 2001. Do you have any recollection of a finding of improper conduct for procedure around that time in 2001?  A. No.  Q. Okay.  A. Not a clue.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based off-of-this one right-here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at any blind pig raid?  A. When you work when you're assisting a unit, assisting pretty much basically whatever they need help on, that's what you're going to do for them. So if I assisted on another one and they asked me to write that ticket for them, I might have. I don't remember any of it because it's not something that stands out in my mind.  Q. Okay.  A. Just I mean probably, probably have wrote it.  Q. Okay. And you certainly did here, right?  A. According to the paperwork.  Q. Okay. And that ticket was issued not based on your own decision, based on what you observed that person doing, but rather it was based on what you were told to do by vice enforcement, is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	(Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit. No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape format and the second page says at the top Citizen Complaint Report Filed Against DPD Officer and this is the record for Kathleen Singleton. Have you seen either of these documents before?  A. No.  Q. Okay. I'd just like to direct your attention to the first page. The second entry there BPC #01-0130 CCR #30907. It says, Allegation, procedure; findings, improper c; unit, Fourth Precinct; closed August 2nd, 2001. Do you have any recollection of a finding of improper conduct for procedure around that time in 2001?  A. No.  Q. Okay.  A. Not a clue.  Q. You can't tell me what kind of conduct was complained of?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based off-of-this one right-here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at any blind pig raid?  A. When you work when you're assisting a unit, assisting pretty much basically whatever they need help on, that's what you're going to do for them. So if I assisted on another one and they asked me to write that ticket for them, I might have. I don't remember any of it because it's not something that stands out in my mind.  Q. Okay.  A. Just I mean probably, probably have wrote it.  Q. Okay. And you certainly did here, right?  A. According to the paperwork.  Q. Okay. And that ticket was issued not based on your own decision, based on what you observed that person doing, but rather it was based on what you were told to do by vice enforcement, is that right?  A. That's a fair statement.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	(Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape format and the second page says at the top Citizen Complaint Report Filed Against DPD Officer and this is the record for Kathleen Singleton. Have you seen either of these documents before?  A. No.  Q. Okay. I'd just like to direct your attention to the first page. The second entry there BPC #01-0130 CCR #30907. It says, Allegation, procedure; findings, improper c; unit, Fourth Precinct; closed August 2nd, 2001. Do you have any recollection of a finding of improper conduct for procedure around that time in 2001?  A. No.  Q. Okay.  A. Not a clue.  Q. You can't tell me what kind of conduct was complained of?  A. You got a number here and that's it. No. And
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. I'm not asking whether they can or cannot be. I'm asking whether you have.  A. Based off-of-this one right-here, yes, because obviously I did if my name is on one.  Q. Okay. Do you remember issuing such a ticket at any blind pig raid?  A. When you work when you're assisting a unit, assisting pretty much basically whatever they need help on, that's what you're going to do for them. So if I assisted on another one and they asked me to write that ticket for them, I might have. I don't remember any of it because it's not something that stands out in my mind.  Q. Okay.  A. Just I mean probably, probably have wrote it.  Q. Okay. And you certainly did here, right?  A. According to the paperwork.  Q. Okay. And that ticket was issued not based on your own decision, based on what you observed that person doing, but rather it was based on what you were told to do by vice enforcement, is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	(Marked Exhibit No. 6.)  Q. (Continuing, by Ms. James) I've just handed you what's marked as Exhibit. No. 6. The first page says Detroit Police Department Officer Information Report. The following pages are in a landscape format and the second page says at the top Citizen Complaint Report Filed Against DPD Officer and this is the record for Kathleen Singleton. Have you seen either of these documents before?  A. No.  Q. Okay. I'd just like to direct your attention to the first page. The second entry there BPC #01-0130 CCR #30907. It says, Allegation, procedure; findings, improper c; unit, Fourth Precinct; closed August 2nd, 2001. Do you have any recollection of a finding of improper conduct for procedure around that time in 2001?  A. No.  Q. Okay.  A. Not a clue.  Q. You can't tell me what kind of conduct was complained of?

15 (Pages 54 to 57)

	13 /14905		-	J.,
	Page 54			Page 56
1	attention to the last page with content on it in	1		ever seen this document before?
2	the lower right-hand corner. It says	2		Not this particular document, no.
3	Def-City-1766. There are a couple of items here	3		Okay. Have you had an opportunity to peruse the
	where if you look under the column titled	4	-	contents or would you like another moment?
4	finding, there are three notations of pending.	5		No, go ahead.
5	<del>-</del>	6		Okay. Do you recall this particular incident?
6	These are much more recent since 2009. Do you	7		Not really, but I mean I remember having the
7	recall being notified that there were any			Eastern District on the desk, that's it.
8	citizen complaints made against you since 2009?	8		· · · · · · · · · · · · · · · · · · ·
9	A. No.	9		Okay. Directing your attention to page two toward
10	Q. Okay. And I'm sorry, I think a moment ago,	10		the bottom, the findings say demeanor, sustained?
11	please correct me if I'm wrong, but I think you	11		Right.
1.2	did say that you do recall knowing that there	12		Do you recall being notified of those findings?
13	have been complaints made against you before, is	13		Yeah.
14	that right?	14		Okay. And what do you recall?
15	A. Right.	15		I recall going to talk to the commander about it
16	Q. And for the ones that you are aware of, how were	16		and I admitted that I did it.
17	you notified?	17	_	Okay. Do you know who else was notified of the
18	A. If I had to go make statements or something. I	18		findings?
19	mean they could tell you you have one against	19		No.
20	you. I don't follow-up on them. I don't know	20		Okay. So you don't know whether or not your
21	what the outcome of them would be.	21		supervisor was informed. Is that fair?
22	Q. Okay.	22	A.	I don't know.
23	A. Anybody's going to make a complaint against you	23	Q.	Okay. Did you receive any discipline as a result
24	if you arrest them.	24		of this finding?
25	Q. Okay. So is it your testimony that you only	25	A.	Yes.
		ŧ		
	Page 55			Page 57
1	Page 55	1		Page 57
1 2	Page 55 recall having been notified if someone is	1 2	Q.	Page 57 And what was it?
1 2 3	Page 55 recall having been notified if someone is interviewing you about the incident?	1 2	Q. A.	Page 57  And what was it?  I believe it was a negative ACR entry.
2 3	Page 55 recall having been notified if someone is interviewing you about the incident?  A_If they're interviewing me about it. Other than.	2	Q. A. Q	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean?
2 34	Page 55  recall having been notified if someone is interviewing you about the incident?  AIf_they!re_interviewing.me_about_itOther_than that, no, I wouldn't know.	2	Q. A. Q. A.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file.
2 34 5	Page 55  recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.	2 3. 4 5	Q. A. Q. A. Q.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else?
2 34 5 6	Page 55  recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.	2 -3 -4 -5 -6	Q. A. Q. A. Q. A.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't.
2 3 4 5 6 7	Page 55  recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your	2 3 4 5 6 7	Q. A. Q. A. Q. A.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't. So no retraining, suspension, nothing else that
2 3 4 5 6 7 8	recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your supervisor is informed of the outcome of these	2 -34 5 6 7 8	Q. A. Q. A. Q. A. Q.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't. So no retraining, suspension, nothing else that you recall?
2 3 4 5 6 7 8	Page 55  recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your supervisor is informed of the outcome of these investigations?	2 4 5 6 7 8 9	Q. A. Q. A. Q. A. Q.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't. So no retraining, suspension, nothing else that you recall? No.
2 3 4 5 6 7 8 9	recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your supervisor is informed of the outcome of these investigations?  A. I think you would have to contact the office of	2 -34 5 6 7 8 9	Q. A. Q. A. Q. A. Q.	Page 57  And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't. So no retraining, suspension, nothing else that you recall? No. Okay. Do you know whether there have been any
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2 3 4 5 6 7 8 9 10 11	recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your supervisor is informed of the outcome of these investigations?  A. I think you would have to contact the office of the chief investigator. They would be the ones that keep track of this.	2 3 4 5 6 7 8 9 10 11	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	And what was it?  I believe it was a negative ACR entry.  What does that mean?  A negative complaint in my file.  Anything else?  That I remember, no, I don't.  So no retraining, suspension, nothing else that you recall?  No.  Okay. Do you know whether there have been any other lawsuits filed against you for your actions while on duty as a Detroit police officer
2 3 4 5 6 7 8 9 10 11 12 13	recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your supervisor is informed of the outcome of these investigations?  A. I think you would have to contact the office of the chief investigator. They would be the ones that keep track of this.  Q. But you don't know whether or not your supervisor	2 3 4 5 6 7 8 9 10 11 12 13	Q. A. Q. A. Q. A. Q.	And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't. So no retraining, suspension, nothing else that you recall? No. Okay. Do you know whether there have been any other lawsuits filed against you for your actions while on duty as a Detroit police officer other than the one that brings us here today?
2 3 4 5 6 7 8 9 10 11 12 13 14	recall having been notified if someone is interviewing you about the incident?  A. If they're interviewing me about it. Other than that, no, I wouldn't know.  Q. Okay.  A. I don't look them up or anything.  Q. Do you have any knowledge of whether or not your supervisor is informed of the outcome of these investigations?  A. I think you would have to contact the office of the chief investigator. They would be the ones that keep track of this.  Q. But you don't know whether or not your supervisor is informed, is that what you're saying?	2 3 4 5 6 7 8 9 10 11 12 13	Q. A. Q. A. Q. A. Q. A. Q.	And what was it? I believe it was a negative ACR entry. What does that mean? A negative complaint in my file. Anything else? That I remember, no, I don't. So no retraining, suspension, nothing else that you recall? No. Okay. Do you know whether there have been any other lawsuits filed against you for your actions while on duty as a Detroit police officer other than the one that brings us here today? Yes.
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16 (Pages 58 to 61)

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	Page 58			Page 60
1	Q. Okay. And is it your understanding that part of	1		knowledge has there ever been an internal
2	what he was complaining about was that well,	2		investigation within the police department where
3	I'll ask my question and then see if you need	3		you are the subject of the investigation?
4	some clarification. Was he alleging excessive	4	A.	
5	force?	5	Q.	and the second s
6	A. He was alleging his father died a year ago, a	6	A.	
7	year after that incident or something like that,	7	2 4.	the ones here?
8	and he was alleging we caused his father to get	8	0	No, actually I think I'm talking about something
9	sick. That's the basis of what I remember it to be.	9	٧.	different. My understanding is that within the
1.0	Q. Okay. You described a moment ago about him	10		department there are citizen complaint
11	having to be held to be handcuffed?	11		investigations, but then there are also
12	A. Right.	12		investigations that might be conducted by
13	Q. Do you know whether he was complaining about,	13		internal affairs that don't necessarily arise
14	you know, any kind of physical contact that was	1.4		from a citizen complaint and that's what I'm
15	made with him?	15		asking about.
16	A. Well, he physically threw my partner into some	16	A.	I've had, yeah, I've had to make statements at
17	sticker bushes. He wanted to push me, but I	17		internal affairs before, yes.
18	ended up pushing him through the screen door.	18	Q.	
19	When we tried to handcuff him, he physically	1.9	-	Honestly, I don't remember.
20	fought us, then we handcuffed him. The	20	Q.	More than once?
21	complaint didn't go, as far as I can remember	21	~	Yeah, more than once because I work narcotics,
22	the complaint didn't go to any physical actions	22		so more than once, but I honestly don't remember
23	towards him because there was no visible bruises	23		how many times I've had to make those statements.
24	or anything like that. From what I can remember,	24		Okay. And to your knowledge have you ever found
25	his complaint was that his father died a year	25		to be have you ever been found to be to
			···	
	Page 59			Page 61
	Page 59			Page 61
1	after due to what happened that day a year	1		have acted improperly at the conclusion of those
2	after due to what happened that day a year later. You would have to look in the file and	2		have acted improperly at the conclusion of those investigations?
2 3	after due to what happened that day a year later. You would have to look in the file and get the rest of the details, but as far as I	2 3	A.	have acted improperly at the conclusion of those investigations?  To be perfectly honest with you, I do not keep
2 34	after due to what happened that day a year later. You would have to look in the file and get_the_rest_of_the_details, but_as_far_as_I_know, that's what the gist of it was about.	2 34	_A,	have acted improperly at the conclusion of those investigations?  To be perfectly honest with you, I do not keep track of them. I don't know what the outcome is.
2 3  4 5	after due to what happened that day a year later. You would have to look in the file and get the rest of the details, but as far as I know, that's what the gist of it was about.  Q. Okay. And do you recall what the outcome of	2 34 5	_A,	have acted improperly at the conclusion of those investigations?
2 3 4 5 6	after due to what happened that day a year later. You would have to look in the file and get the rest of the details, but as far as I know, that's what the gist of it was about.  Q. Okay. And do you recall what the outcome of that lawsuit was?	2 34 5	_A,	have acted improperly at the conclusion of those investigations?  To be perfectly honest with you, I do not keep track of them. I don't know what the outcome is.  They call me down there to make a statement. I make my statement and I'm done with it. I don't
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17 (Pages 62 to 65)

	Page 62		Page 64
1	caused me to have days off.	1	the reprimand?
2	Q. Okay.	2	A. Pretty much that I remember, at least for one of
3	A. I've received reprimands.	3	them it was.
4	Q. Okay.	4	Q. Okay. I see.
5	A. I want to say two reprimands, maybe three since	5	A. Or for two of them it was.
б	I've been on the job. One for I took my brother	6	Q. Okay.
7	to court with me. One for	7	A. But other than that, I mean you just got them,
8	Q. That was the alleged improper conduct, that your	8	no big deal.
9	brother was there?	9	MS. JAMES: Okay. I don't think I have
1.0	A. Right.	10	anything else.
11	Q. Okay.	11	MR. ASHFORD: I have no questions.
12	A. One for improper search. The person ended up	12	Thank you very much, Officer.
13	having a knife on them I think, but that was	13	(Deposition concluded at 12:20 p.m.)
14	like when I first got on, and then one for my	14	
15	demeanor to a supervisor.	15	
16		16	
17	A. Yeah.	17	
18	Q. And what exactly does a reprimand mean?	18	
19	1 5 1 1	19	
20		20	
21	•	21	
22		22	
23		23	
24	3	24	
25	Q. But it's some kind of document that goes in your	25	A STATE OF THE STA
	Page 63		Page 65
1	file?	1	Page 65 STATE OF MICHIGAN)
. 1		1	<del>-</del>
	file?	1 _2	STATE OF MICHIGAN) ) COUNTY OF MACOMB.)
. 2	file? A. Right.	<u>2</u> 3	STATE OF MICHIGAN) )COUNTY OF MACOMB.) I, Ann L. Bacon, a Notary Public in and for
· 2	file? A. Right. Q. That's what a reprimand is? A. Right, right. Q. Okay. And so have you ever received any kind of	3 4	STATE OF MICHIGAN) ) COUNTY OF MACOMB.)  I, Ann L. Bacon, a Notary Public in and for the above county and state, do hereby certify
· 2 - 3 - 4	file? A. Right. Q. That's what a reprimand is? A. Right, right. Q. Okay. And so have you ever received any kind of retraining or other discipline other than a	2 3 4 5	STATE OF MICHIGAN) ) COUNTY OF MACOMB.) I, Ann L. Bacon, a Notary Public in and for the above county and state, do hereby certify that the witness, whose attached deposition was
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2 3 4 5 6	file? A. Right. Q. That's what a reprimand is? A. Right, right. Q. Okay. And so have you ever received any kind of retraining or other discipline other than a written reprimand? A. No.	2 3 4 5 6 7	STATE OF MICHIGAN) ) COUNTY OF MACOMB.)  I, Ann L. Bacon, a Notary Public in and for the above county and state, do hereby certify that the witness, whose attached deposition was taken before me in the entitled cause on the date, time and place hereinbefore set forth, was
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## EXHIBIT 25

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1	IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN
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2	SOUTHERN DIVISION
3	IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER,
	ANGIE WONG, JAMES WASHINGTON, NATHANIEL
4	PRICE, JEROME PRICE, STEPHANIE HOLLANDER,
_	
_	JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE,
5	DARLENE HELLENBERG, THOMAS MAHLER, and
	LAURA MAHLER,
6	
•	
_	Plaintiffs,
7.	Hon. Victoria A. Roberts
	Magistrate Judge Mone K. Mazoub
8	-vs- No. 10-0y-10675
9	
9	CITY OF DETROIT, a municipal
	corporation, Lieutenant VICKI YOST
10	a Detroit police officer, in her
	individual capacity, Sergeant DANIEL
11	BUGLO, a Detroit police officer, in his
	bodio, a betroit poince off ther, in his
	individual capacity, Sergeant G. MCW HORTER,
12	a Detroit police officer, in his/her
	individual capacity, Sergeant A. POTTS,
13	a Detroit police officer in his/her
	individual consoit due de des de des de des de des de de de de de de de de de de de de de
	individual capacity, Sergeant CHARLES TURNER,
14	a Detroit police officer in his individual
	capacity, Officer N BROWN, a Detroit police
1-5=	officer, in his/her adividual capacity, Officer
	B. COLE, a Detroit police officer, in his/her
1 ~	
16	individual capacity, Officer TYRONE GRAY, a
•	Detroit police officer, in his individual
17	capad ty, Officer SHERON JOHNSON, a Detroit
	pelice officer, in her individual capacity,
18	Officer K. SINGLETON, a Detroit police officer,
	in his hom indication, a pectote positive of the contraction
	in his her individual capacity, and UNNAMED
19	TETROPT POLICE OFFICERS, in their individual
	capacities,
20	
	Defendants.
	Defidants.
21	
22	
	DEPOSITION OF POLICE OFFICER TYRONE GRAY
23	
	THITECONY ACTIONS OF ACCO
	TUESDAY, OCTOBER 25, 2011
24	
2.5	



### 2:10-cv-10675-VAR-MKM Doc # 84-26 Filed 04/17/12 Pg 3 of 29 Pg ID 2172

### Tyrone Gray 10/25/2011

2 (Pages 2 to 5)

	Page 2		Page 4
1		1	Detroit, Michigan
2	Deposition of POLICE OFFICER TYRONE GRAY,	2	Tuesday, October 25, 2011
3	taken in the above-entitled cause before Denise Moorfoot,	Ì	**
4	(CSR-2275), Court Reporter and Notary Public for the County	3	10:30 a.m.
5 6	of Oakland, State of Michigan, at 660 Woodward, Suite 1650, Detroit, Michigan, on Tuesday, October 25, 2011, commencing at	4	
7	or about the hour of 10:30 a.m.	5	TYRONE GRAY
8	APPEARANCES:	6	was thereupon called as a witness herein and, after
9		7	having been first duly sworn to tell the truth, was
	MR. DANIEL S. KOROBKIN	8	examined and testified as follows:
10	American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue	9	
11	Detroit, Michigan 48201	10	EXAMINATION
	-and-	11	BY MS. JAMES:
12	MS. KATHRYN BRUNER JAMES	12	Q Good morning, Officer Gray. Should I call you Officer
1 2	Goodman & Hurwitz, P.C.		Gray?
13	1394 E. Jefferson Avenue Detroit, Michigan 48207	13	
14	Appearing on behalf of the Plaintiffs.	14	A Yes, ma'am.
15	MS, SUE HAMMOUD	15	Q My name is Kathryn James, and I represent eight people who
	City of Detroit Law Department	16	were either Actually, I represent a total of twelve
16	660 Woodward Avenue 1650 First National Building	17	people, eight people who were charged with loitering in a
17	Detroit, Michigan 48226	18	place of illegal occupation at the Contemporary Art
	Appearing on behalf of the Defendants.	19	Institute of Detroit on May 31st, 2008, and then four
18		20	people whose cars were seized at that event. And we have
19		21	come here today for a deposition for the lawsuit that has
20 21		22	arisen out of that raid.
22		23	Have you ever been deposed before, Officer Gray?
23	·	24	A Yes,
24		25	
25		∠5	Q Do you know approximately how many times?
	Page 3		Page 5
-	Page 3	-	-
1	Page 3	1	A Not offhand.
2		2	A Not offhand. Q More than five?
2 3	TABLE OF CONTENTS	2 3	A Not offhand. Q More than five? A Yes.
2 3	TABLE OF CONTENTS WIFNESS PAGE	2	A Not offhand.  Q More than five?  A Yes.  Q So you have a pretty good understanding of the ground
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Tyrone Gray 10/25/2011

3 (Pages 6 to 9)

	- (	, -	·
	Page 6		Page 8
1	The first thing I'd like to do is mark as an	1	A No, ma'am.
2	exhibit the re-notice of your deposition.	2	MS, HAMMOUD: In this case you mean?
3	(WHEREUPON, Deposition Exhibit 1	3	MS. JAMES: Correct.
4	was marked for identification.)	4	THE WITNESS: In this case, no.
5	BY MS. JAMES:	5	MS, HAMMOUD: You said "that case."
6	Q I hand that to you. So this is Exhibit No. 1, and I just	6	MS. JAMES: I'm sorry. I meant this case.
7	want you to take a moment to look at it, please, and just	7	MS. HAMMOUD: That's okay.
8	let me know whether or not you have seen this document	8	BY MS. JAMES:
9	before?	9	Q I'm just going to start by asking you some background
1.0	A This is the first I have seen this document.	10	questions. We'll try to get through this quickly, but can
11	Q Okay. Were you asked to bring any documents with you	11	you give me your full name and badge number, Officer Gray?
12	today to your deposition?	12	
1.3	A No, ma'am.	13	A It's Tyrone Gray, Badge 4591.  O No middle name?
14	Q Okay. I'll take that back from you.	14	
15		1	A No, ma'am.
16	MS. HAMMOUD: Let me object for purposes of the	15	Q Okay, What's your current department and rank?
1.7	record. The documents are not in his possession, custody,	16	A Northeastern District, police officer.
	or control. They are in the position of the city, and the	17	Q How long have you been at the Northeastern District?
18	documents are here for his reference.	18	A I believe since 2008.
19	MS. JAMES: And also for the purposes of the	19	Q And that would have been after the May 2008 raid on the
20	record, I'm going to reserve my right to continue this	20	Contemporary Art Institute?
21	deposition if any documents that haven't been disclosed	21	A I'm sorry. I believe it was 2009. I'm sorry.
22	already are subsequently disclosed that were listed on the	22	Q Okay. And where did you graduate from high school,
23	Notice.	23	Officer Gray?
24	MS. HAMMOUD: Sure.	24	A Detroit Henry Ford.
25	BY MS, JAMES:	25	Q And what year was that?
	Page 7		Page 9
1		1	Page 9 A '91.
1 2		1 2	
	Q All right. Did you review any records in preparation for		A '91.
2	Q All right. Did you review any records in preparation for your deposition today?	2	A '91. Q 'Okay. And have you had any college education?
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# Tyrone Gray 10/25/2011

#### 4 (Pages 10 to 13)

	TO I A		
	Page 10		Page 12
1	police academy?	1.	printout. The first page in the upper left-hand corner,
2	A It was,	2	the largest set of words says "Student Performance
3	Q So what is your date of hire with the Detroit Police	3	Record." The first page is one-sided, and then there are
4	Department?	4	two following double-sided pages. So once you have an
5	A 4-27-98.	5	opportunity to look through it carefully, I'd like you to
6	Q And just briefly I'd like to go through your ranks and	6	tell me whether, as you sit here today, does this record
7	departments that you have been assigned to in the Detroit	7	Well, first of all, do you know what this record is?
8	Police Department, so can you tell me what your first	8	Are you familiar with it?
9	department was following completion of the police academy?	9	A It's my training that I received throughout my years of
10	A Yes. That would be, at the time, the 6th Precinct.	10	service as a police officer.
11	Q Okay.	11	Q Okay.
12	A I worked patrol operations. Still at the 6th Precinct, I	12	A Some training.
13	went to the specialized unit of special operations.	13	Q Have you had a chance to look through all of the pages?
14	Q Do you know approximately when that transfer occurred?	14	A Not all of them yet, ma'am.
15	A I don't remember the dates. From there I went to	15	Q Okay. Are you finished looking through it?
16	narcotics.	16	A I am.
17	Q Can you give me a ballpark of when you were in narcotics?	17	Q As you have reviewed it, does this appear to be an
18	A How long?	18	accurate record of all of the training you have received
19	Q Or roughly what year?	19	through the Detroit Police Department?
20	A 2001.	20	MS. HAMMOUD: Well, let me just place a
21	Q Okay.	21	foundational objection again. He's not in possession,
22	A Roughly. From narcotics, I went to vice enforcement.	22	custody, or control of these records, but to the extent
23	Q Do you know roughly how long you were at vice enforcement?	23	that he's reviewed them, he can answer the question.
24	A Over two years,	24	THE WITNESS: Yes. This is basically my
25	Q Okay.	25	training that I received.
	Page 11		Page 13
1		,	
2	A From vice enforcement, I went to homicide. From homicide, Northeastern District patrol operations. Then from	1 2	BY MS. JAMES:
3	Northeastern District parfor operations, Then from		
~	Northeastern District natrol operations, still at the		Q Okay. I'm just going to ask you about a few of them that
4	Northeastern District patrol operations, still at the	3	to the untrained eye aren't really obvious. I'm going to
-4 -5	Northeastern District, went to specialized unit of special	3	to the untrained eye aren't really obvious. I'm going to just flip to the page for you. Now, on the exhibit copy,
5	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern	3 - 4 - 5	to the untrained eye aren't really obvious. I'm going to just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452.
5 6	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern District back to patrol operations,	3 <u>4</u> 5 6	to the untrained eye aren't really obvious. I'm going to just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452. Can I have you look at this copy, please? Now, if you
5 6 7	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern District back to patrol operations.  Q I see. And your rank has been police officer throughout	3 -4 5 6 7	to the untrained eye aren't really obvious. I'm going to just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452. Can I have you look at this copy, please? Now, if you look in the left-hand column under the word "Title," if
5 6 7 8	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern District back to patrol operations.  Q I see, And your rank has been police officer throughout all of these departments that we just described; is that	3 5 6 7 8	to the untrained eye aren't really obvious. I'm going to just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452. Can I have you look at this copy, please? Now, if you look in the left-hand column under the word "Title," if you go four lines down beneath the word "Title," there's a
5 6 7 8 9	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern District back to patrol operations.  Q I see, And your rank has been police officer throughout all of these departments that we just described; is that correct?	3 5 6 7 8	to the untrained eye aren't really obvious. I'm going to just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452. Can I have you look at this copy, please? Now, if you look in the left-hand column under the word "Title," if you go four lines down beneath the word "Title," there's a line that says "PR-24 Recert." Do you know what that
5 6 7 8 9	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern District back to patrol operations.  Q I see, And your rank has been police officer throughout all of these departments that we just described; is that correct?  A That is correct.	3 5 6 7 8 9	to the untrained eye aren't really obvious. I'm going to  just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452.  Can I have you look at this copy, please? Now, if you look in the left-hand column under the word "Title," if you go four lines down beneath the word "Title," there's a line that says "PR-24 Recert." Do you know what that means?
5 6 7 8 9 10	Northeastern District, went to specialized unit of special operations. My current assignment is Northeastern District back to patrol operations.  Q I see, And your rank has been police officer throughout all of these departments that we just described; is that correct?  A That is correct.  Q Okay. Have you ever applied for promotion in the Detroit	3 -4 -5 6 7 8 9 10 11	to the untrained eye aren't really obvious. I'm going to  just flip to the page for you. Now, on the exhibit copy, in the lower left-hand corner, the page number is 2452.  Can I have you look at this copy, please? Now, if you look in the left-hand column under the word "Title," if you go four lines down beneath the word "Title," there's a line that says "PR-24 Recert." Do you know what that means?  A Yes.
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### 5 (Pages 14 to 17)

		,,	1	
		Page 14		Page 16
1		fighting us or resisting our arrest that we encounter on a	1	not on this training printout?
2		daily basis.	2	A I don't recall at this time.
3	Q	Thank you. I appreciate that.	3	Q Okay. When you have attended formal training sessions,
4		Can you tell me whether or not you have received	4	have you ever been provided with written materials at
5		any training specifically on the Detroit city ordinance	5	those training sessions?
6		that authorizes ticketing people for loitering in a place	6	A Yes.
7		of illegal occupation that you recall?	7	Q And is it your practice to keep those materials?
8	A	I don't recall at this time.	8	A I do sometimes.
9	Q	Do you recall whether you have ever received any training	9	Q Okay. So as of today, do you have any training materials
10		specific to the Michigan nuisance abatement statute?	10	that you have kept for your own review?
11	Α	I don't recall at this time.	11.	A I would have to look for them.
12	Q	Do you recall whether you have received any training that	12	Q Okay,
13		is specific to blind pig raids? Do you know what I mean	13	A They're not readily available if that's what you're
14		when I say blind pig raids?	14	asking.
15	Α	Yes.	15	Q They're not available as we sit here right now?
1.6	Q	•	16	A Right.
17	Α	I don't recall. I'm sure I have. I just don't recall at	17	Q But they're available to you?
18		this time.	18	A I don't know. I'd have to look for them.
19	Q		19	Q I would ask you, if you would, to review your files and
20		that's specific to the execution of search warrants?	20	see if you have any training materials and to make them
21	A	Yes.	21	available to your attorney. He knows what we have
22	Q		22	requested.
23		whether that training is listed on the printout that we	23	A Okay.
24		have reviewed?	24	Q And so he would know whether or not any of it is
25	A	I received training from This would be part of the	25	discoverable for the purposes of this lawsuit, and I would
		Page 15		Page 17
1		training is the bottom the second one from the bottom	1	just ask you to make them available to him,
2		from Michigan State Police. It says "Raid Entry School."	2	A You're asking me to look for them, to attempt to make them
3	Q	I see.	3	available?
4	Ā	That is part of our entry team. That's part of the	4	Q Exactly,
5		execution of search warrants as well as my several years	5	A Okay.
6		at narcotics, receiving training from supervisors as well	6	Q And let him know whether or not you have been able to
7		as other officers who had went to certain trainings	7	locate them. Okay?
8		throughout the country and came back and taught us.	8	MS. HAMMOUD: Assuming he has them?
9		That's not listed on here, though.	9	MS. JAMES: Yes.
10	Q	Are there any other training sessions that you can recall,	10	MS. HAMMOUD: Okay,
11		as you sit here, that are not listed on this fraining	11	BY MS. JAMES:
12		printout that you can think of?	12	Q Okay. I will take this one back from you. Thank you.
13		MS. HAMMOUD: Are you asking specifically with	13	I want to focus in on your time at vice
14		respect to formal training?	14	enforcement for a moment. Am I correct that you were
15		MS, JAMES;		
			15	assigned to vice enforcement on May 31st, 2008; is that
16	Q	Yes. A training session where, as I imagine, that you	16	assigned to vice enforcement on May 31st, 2008; is that correct?
17	Q	Yes. A training session where, as I imagine, that you would go with another group of officers and be given some	16 17	assigned to vice enforcement on May 31st, 2008; is that correct?  A 1 was.
17 18	Q	Yes. A training session where, as I imagine, that you would go with another group of officers and be given some instruction by another law enforcement officer.	16 17 18	assigned to vice enforcement on May 31st, 2008; is that correct?  A 1 was.  Q Can you describe for me Should I refer to this as a
17 18 19	Q A	Yes. A training session where, as I imagine, that you would go with another group of officers and be given some instruction by another law enforcement officer.  Yes, that would be my narcotic undercover training.	16 17 18 19	assigned to vice enforcement on May 31st, 2008; is that correct?  A 1 was.  Q Can you describe for me Should I refer to this as a department or a unit or a team? What's the correct
17 18 19 20	Q A Q	Yes. A training session where, as I imagine, that you would go with another group of officers and be given some instruction by another law enforcement officer.  Yes, that would be my narcotic undercover training. Okay.	16 17 18 19 20	assigned to vice enforcement on May 31st, 2008; is that correct?  A 1 was.  Q Can you describe for me Should I refer to this as a department or a unit or a team? What's the correct terminology?
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17 18 19 20 21 22	Q A Q A	Yes. A training session where, as I imagine, that you would go with another group of officers and be given some instruction by another law enforcement officer.  Yes, that would be my narcotic undercover training. Okay.  Which was taught to me by Sergeant Ramon Valdez and other fellow undercover police officers that worked at	16 17 18 19 20 21 22	assigned to vice enforcement on May 31st, 2008; is that correct?  A 1 was.  Q Can you describe for me Should I refer to this as a department or a unit or a team? What's the correct terminology?  A Vice enforcement unit.  Q Vice enforcement unit. Can you describe for me your
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17 18 19 20 21 22	Q A Q A	Yes. A training session where, as I imagine, that you would go with another group of officers and be given some instruction by another law enforcement officer.  Yes, that would be my narcotic undercover training. Okay.  Which was taught to me by Sergeant Ramon Valdez and other fellow undercover police officers that worked at	16 17 18 19 20 21 22	assigned to vice enforcement on May 31st, 2008; is that correct?  A 1 was.  Q Can you describe for me Should I refer to this as a department or a unit or a team? What's the correct terminology?  A Vice enforcement unit.  Q Vice enforcement unit. Can you describe for me your

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#### 6 (Pages 18 to 21)

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		Page 18		Page 20
1	own what's the ter	m I'm looking for? with its own	1	prostitution violations and other things here and there,
2		e, or is it connected or under an	2	but those are our main things.
3		units? Does that make sense to you?	3 (	And how long were you with vice enforcement?
4		UD: Hold on. I'm just going to place		A Approximately two years. A little over probably.
5		he original question, not the "Does	5 (	So was that from sometime in 2007 through sometime in
6	it make sense to you'		6	2009? Does that sound about right?
7	MS. JAMES:		7 /	A That's fair.
8	MS. HAMMO	UD: So just a form objection to the	8 (	Okay. While you were working for vice enforcement, did
9	first question.		9	you receive employment evaluations or reviews at all?
10	BY MS. JAMES:		10 A	A By my supervisors I did.
11	Q Sure. Do you under	rstand what I'm asking?	11 (	And do you know how often you would be evaluated or
12	A Vice enforcement fa	alls under the criminal investigation	12	reviewed?
13	bureau.		13 /	A Every year.
14	Q I see,		14 (	2 So is it fair to say that there should be two evaluations
15		ics, it's under that umbrella.	15	or reviews of you while you were on vice enforcement?
16	Q Are there any other	units that you can think of other than	16 /	A That's a fair statement.
17	gang squad and narce	otics and vice enforcement that fall	17 (	Q Okay. And to your knowledge, was the number of arrests or
18	under criminal invest	igation?	18	tickets that you wrote a part of the metrics used in that
19	A Homicide.		19	evaluation, if you know?
20	Q Any others that you		20	MS. HAMMOUD: Object to foundation, but you can
21	A That's all I can think	t of right now.	21	answer if you know.
22	Q Okay.		22	THE WITNESS: That's not a part of it.
23	A Well, they do have a	restructuring at times, but I know at	ļ	BY MS. JAMES:
24	that time it was unde		24 (	Okay. I'm going to move on and talk specifically about
25	<ul> <li>O I see. So vouhe des</li> </ul>	cribing your recollection and	25	blind pigs and blind pig raids. How many times have you
	Q 1000: 50 journ des			10 10
<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	Q 1300. 50 jouro des	Page 19		Page 21
1		Page 19	1	Page 21
1 2		Page 19	1 2 4	Page 21 participated in a blind pig raid approximately?
	understanding of the s	Page 19	2 A	Page 21.  participated in a blind pig raid approximately?  A Being the undercover officer, more than three. As far as
2	understanding of the s were in vice enforcem A Correct.	Page 19 tructure as of the time that you ent?		Page 21 participated in a blind pig raid approximately?
2 3	understanding of the s were in vice enforcem A Correct. Q Okay. At the time th	Page 19	2 A 3	Page 21.  participated in a blind pig raid approximately?  A Being the undercover officer, more than three. As far as execution of search warrants, I believe less than five, I believe.
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2 3 -4 5	understanding of the s were in vice enforcem A Correct.  Q Okay. At the time th you know approximate	Page 19 tructure as of the time that you ent?	2 A 3 4 5 (	Page 21.  participated in a blind pig raid approximately?  A Being the undercover officer, more than three. As far as execution of search warrants, I believe less than five, I believe.
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2 3 5 6 7 8	understanding of the s were in vice enforcem A Correct.  Q Okay. At the time th you know approximate unit? A More than five. Q Okay. Less than ten, A Fair statement, less ti	Page 19 tructure as of the time that you ent?  at you were in vice enforcement, do ely how many officers were in that if you know?  an ten.	2 A 3 4 5 6 6 7 8 A 9 (	Page 21.  participated in a blind pig raid approximately?  A Being the undercover officer, more than three. As far as execution of search warrants, I believe less than five, I believe.  And the way that you categorize them as participating as an undercover officer, and, I'm sorry, how did you describe the other?  Being an undercover officer, more than three.
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2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	understanding of the s were in vice enforcem A Correct.  Q Okay. At the time th you know approximate unit? A More than five. Q Okay. Less than ten, A Fair statement, less ti Q And who were the co when you were a mem A Lieutenant Vicki Yos Daniel Buglo. Q What is your underst mission of vice enforce another way? A We do quality of life enforcement, prostituti with prostitution, like prostitution as well as violations. Q Can you A MLCC, Michigan Lic Q Thank you.	ructure as of the time that you ent?  at you were in vice enforcement, do ely how many officers were in that  if you know?  nan ten.  commanding officers of vice enforcement liber?  at, Sergeant Charles Turner, Sergeant  anding of — I'm going to use the word ement? Would you like me to ask it  issues in our work at vice ion, narcotics trafficking. We deal I say, on both sides, transgender liquor inspections, MLCC	2	participated in a blind pig raid approximately?  A Being the undercover officer, more than three. As far as execution of search warrants, I believe less than five, I believe.  And the way that you categorize them as participating as an undercover officer, and, I'm sorry, how did you describe the other?  Being an undercover officer, more than three.  How did you describe the other category?  The other category was less than five as being a part of the entry team.  Part of the entry team. Okay. So those would be separate instances? Those don't overlap?  That's correct.  MS. HAMMOUD: How many did you say as part of the entry team?  THE WITNESS: Less than five as part of the entry team and more than three as being an undercover officer.  MS. JAMES:  So somewhere in the range of approximately ten would be the total number of raids you have participated in either

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# Tyrone Gray 10/25/2011

#### 7 (Pages 22 to 25)

			1			
		Page 22			Page 24	
1	Q	And based on your understanding of these operations, what	1	A	I have seen this before.	
2	_	is the purpose of a blind pig raid?	2	Q		
3	Α	The purpose of a blind pig raid is to go inside the	3	-	document is as you understand it?	
4		location, observe any illegal activity that may be taking	4	Α	It's basically a raid plan.	
5		place inside the location, whether they're serving liquor	5	Q		
6		without a license, staying open after hours inside of a	6	•	is a general raid plan? This does not contain information	
7		licensed establishment.	7		about any particular raid; is that correct?	
8		Once that information is gathered as working	8	Α	That's correct.	
9		with the undercover team, then that information will be	9	Q	Okay. Do you know whether this document comes from a	
10		given to our crew members, and from there either	10		manual or from some other group of documents, or does this	
11		additional surveillance will be conducted or an execution	11		stand on its own as far as you know?	
12		of a search warrant will take place.	12	Α	I don't recall at this time. I do recall seeing this,	
13	Q	And is one of the purposes ultimately to either make	13		though	
14		arrests or to ticket people?	14	Q	Okay.	
15	A	Well, I would say that's a fair statement, but I have been	15	Α	or the basic information of this as far as the raid	
16		inside of establishments to where Yeah, I would say	16		execution.	
17		that's a fair statement.	17	Q	And you don't know who wrote this document, do you?	
1.8	Q	Now, you mentioned that one of the purposes is to observe	18	A	I do not.	
19		illegal activity. As you understand it, can you describe	19	Q	, ,	
20		generally some of the illegal activity that you're looking	20		of the Detroit Police Department's policy regarding blind	
21		for?	21		pig raids?	
22	A	Inside of a blind pig there are a lot of things that could	22	A	As far as the assignments, is that what you're asking?	
23		be taking place, prostitution, narcotic usage, liquor	23	Q	,	
24		being sold without a liquor license, no business license,	24		accurately reflect your understanding of the execution of	
25		illegal gambling. Those are the main.	25		blind pig raids?	
		Page 23			Page 25	
1	Q	Page 23  In the instance where you make observations of a place	1	A	Page 25 That's fair.	
1 2	Q	J	1 2	A Q	_	
	Q	In the instance where you make observations of a place	i	Q	That's fair.	
2	Q	In the instance where you make observations of a place that's operating without the proper license, whether it's	2	Q	That's fair.  Okay. Have you ever seen any other written documents or	
2 3	Q	In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your	2	Q	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies	
2 3	Q	In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing	2 3 4	Q A	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?	
2 3 4 5		In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing this place, whether or not they know whether or not the business has a license?  No.	2 3 4 5	Q A	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?  As I stated earlier, I have seen something similar to	
2 3 4 5 6		In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing this place, whether or not they know whether or not the business has a license?  No.  Okay. And based on your understanding of these	2 3 4 5 6	Q A	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?  As I stated earlier, I have seen something similar to this, older, possibly maybe many years ago when I was at	
2 3 4 5 6 7 8	A	In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing this place, whether or not they know whether or not the business has a license?  No.  Okay. And based on your understanding of these operations, do you know whether the operation itself is a	2 3 4 5 6 7 8 9	Q A	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?  As I stated earlier, I have seen something similar to this, older, possibly maybe many years ago when I was at narcotics. It wasn't formatted like this, though.  I see. But it contained more or less the same information?	
2 3 4 5 6 7 8 9	A	In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing this place, whether or not they know whether or not the business has a license?  No.  Okay. And based on your understanding of these operations, do you know whether the operation itself is a target as opposed to the patrons, or are they both equal	2 3 4 5 6 7 8 9	Q A	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?  As I stated earlier, I have seen something similar to this, older, possibly maybe many years ago when I was at narcotics. It wasn't formatted like this, though.  I see. But it contained more or less the same information?  That's correct.	
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2 3 5 6 7 8 9 10	. A Q	In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing this place, whether or not they know whether or not the business has a license?  No.  Okay. And based on your understanding of these operations, do you know whether the operation itself is a target as opposed to the patrons, or are they both equal targets for police activity?  Police action?	2 3 4 5 6 7 8 9 10 11	Q A Q A Q	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?  As I stated earlier, I have seen something similar to this, older, possibly maybe many years ago when I was at narcotics. It wasn't formatted like this, though.  I see. But it contained more or less the same information?  That's correct.  Okay. I'd like to turn your attention to the second side of the page where it lists numbers one through nine. I'm	
2 3 5 6 7 8 9 10 11 12	A Q	In the instance where you make observations of a place that's operating without the proper license, whether it's a business license or a liquor license, is one of your goals to determine whether the people who are patronizing this place, whether or not they know whether or not the business has a license?  No.  Okay. And based on your understanding of these operations, do you know whether the operation itself is a target as opposed to the patrons, or are they both equal targets for police activity?  Police action?  Yes.	2 3 5 6 7 8 9 10 11 12	Q A Q A Q	That's fair.  Okay. Have you ever seen any other written documents or plans that describe Detroit Police Department policies regarding blind pig raids that you can think of?  As I stated earlier, I have seen something similar to this, older, possibly maybe many years ago when I was at narcotics. It wasn't formatted like this, though.  I see. But it contained more or less the same information?  That's correct.  Okay. I'd like to turn your attention to the second side of the page where it lists numbers one through nine. I'm going to call these assignments. Is that a fair label?	
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# Tyrone Gray 10/25/2011

### 8 (Pages 26 to 29)

		Page 26			Page 28
1	A	Members of the entry team or members of the outside	1	Α	It's not always a lieutenant.
2		security. It depends on whoever the OIC of the operation	2	Q	
3		is, they make that determination of what your assignment	3		not the lieutenant?
4		will be.	4	A	If the lieutenant is not there, it could be a sergeant
5	Q	It also lists here number three and number six both say	5	Q	I see.
6	_	"deputy raid commander - sergeant." Can you elaborate on	6	À	who is actually the raid commander.
7		that assignment if you can?	7	Q	Okay. But it's always a supervising officer?
8	Α	That would be the sergeants who would go inside or either	8	Ā	Yes.
9		stay outside of the location. It all depends on the OIC	9	Q	In your experience in these blind pig raids, who from the
10		who makes that determination of what their assignments	10	-	raid team typically makes the decision regarding who is
1.1.		will be.	11		going to be charged with a crime following the raid?
12	Q	And just for the record, OIC means officer in charge; is	12	A	Can you repeat that?
13		that right?	13	Q	Sure. Who from the raid I'll restate the question, but
1.4	Α	That is correct.	14		then I'll elaborate a little bit. Who from the raid team
15	Q	Okay. And is the officer in charge Why don't you	15		typically makes the decision regarding who is going to be
1.6		describe for us, when you say officer in charge, what does	16		charged with a crime? And what I mean by that is, is it
17		that mean? Who does that refer to?	17		up to each officer's discretion, or is it part of the plan
18	A	That can either refer to whoever is It depends. It	18		where one of the supervisors instructs the officers who
19		varies. That could be a person who is in charge of the	19		should be ticketed?
20		entire operation.	20		MS. HAMMOUD: Let me object to foundation of the
21	Q	Okay.	21		question, because are we assuming that somebody is going
22	Α	Or that could mean a person who is one of the supervising	22		to be arrested or ticketed? Is that what your question is
23		officers at the entry as far as the entry or execution of	23		assuming?
24		the search warrant is concerned. It depends.	24		MS. JAMES: Well, let me back up and ask a
25	Q	So when you say they could be in charge of the entire	25		different question.
-m-m-m-m-		Page 27			Page 29
1		Page 27 operation, when you say "entire operation," are you	1	BY	Page 29
1 2		•	1 2	BY Q	
		operation, when you say "entire operation," are you		Q	MS. JAMES:
2		operation, when you say "entire operation," are you talking about all of the pre-raid investigation and	2	Q	MS. JAMES: Have you ever been involved in a blind pig raid where
2 3	A	operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is	2	Q	MS. JAMES:  Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged
2 3	A Q	operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is that what you mean by "entire operation"?	2 3 4	Q	MS, JAMES: Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged with a crime?
2 3 4 5		operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is that what you mean by "entire operation"?  That is correct.	2 3 4 5	Q A Q	MS. JAMES: Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged with a crime?  I have not.
2 3 4 5 6		operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is that what you mean by "entire operation"?  That is correct.  Okay. So the officer in charge in some instances could be	2 3 4 5 6	Q A Q	MS. JAMES: Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged with a crime?  I have not. Okay. So starting from the basis that when a blind pig
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2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A	operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is that what you mean by "entire operation"?  That is correct.  Okay. So the officer in charge in some instances could be a police officer as opposed to a sergeant or lieutenant; is that correct?  Well, yes, that is correct. We have officers in charge of cases, but as far as doing a raid, no. There would never be a police officer in charge of a raid. It would always be a sergeant or above.  I see. Okay.  But there can be officers in charge of like — if they're assigned to different units, there may be a police officer in charge of a case, and they're considered OICs of that case.  Okay.  But not the unit.  I see. Okay. And then there's one other title that we haven't discussed yet. At the very top, it refers to the raid commander, and then in parentheses it says	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A	Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged with a crime?  I have not.  Okay. So starting from the basis that when a blind pig raid occurs there will be an arrest or ticketing that occurs —  MS. HAMMOUD: Well, I think you can ask him that question based on his experience,  MS. JAMES: Yeah, that's all I'm asking.  MS. HAMMOUD: Based on his experience.  Yeah. Based on your experience in executing blind pig raids, who usually makes the decision regarding who is going to be arrested for a crime or ticketed and charged with a crime?  It varies.  Okay. So can you elaborate on that a little bit?  Yes.  Can you tell me the variations?  Yes. If I'm the undercover officer inside the blind pig
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A	operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is that what you mean by "entire operation"?  That is correct.  Okay. So the officer in charge in some instances could be a police officer as opposed to a sergeant or lieutenant; is that correct?  Well, yes, that is correct. We have officers in charge of cases, but as far as doing a raid, no. There would never be a police officer in charge of a raid. It would always be a sergeant or above.  I see. Okay.  But there can be officers in charge of like if they're assigned to different units, there may be a police officer in charge of a case, and they're considered OICs of that case.  Okay.  But not the unit.  I see. Okay. And then there's one other title that we haven't discussed yet. At the very top, it refers to the raid commander, and then in parentheses it says lieutenant. So is it your understanding and in your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A A Q A	Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged with a crime?  I have not.  Okay. So starting from the basis that when a blind pig raid occurs there will be an arrest or ticketing that occurs —  MS. HAMMOUD: Well, I think you can ask him that question based on his experience,  MS. JAMES: Yeah, that's all I'm asking.  MS. HAMMOUD: Based on his experience.  MS. JAMES: Yeah, the accurate in executing blind pig raids, who usually makes the decision regarding who is going to be arrested for a crime or ticketed and charged with a crime?  It varies.  Okay. So can you elaborate on that a little bit?  Yes.  Can you tell me the variations?  Yes. If I'm the undercover officer inside the blind pig prior to the execution of the warrant or the entry team is
2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A	operation, when you say "entire operation," are you talking about all of the pre-raid investigation and surveillance, including the execution of the warrant? Is that what you mean by "entire operation"?  That is correct.  Okay. So the officer in charge in some instances could be a police officer as opposed to a sergeant or lieutenant; is that correct?  Well, yes, that is correct. We have officers in charge of cases, but as far as doing a raid, no. There would never be a police officer in charge of a raid. It would always be a sergeant or above.  I see. Okay.  But there can be officers in charge of like — if they're assigned to different units, there may be a police officer in charge of a case, and they're considered OICs of that case.  Okay.  But not the unit.  I see. Okay. And then there's one other title that we haven't discussed yet. At the very top, it refers to the raid commander, and then in parentheses it says	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A A Q A	Have you ever been involved in a blind pig raid where there is no one who is arrested or ticketed and charged with a crime?  I have not.  Okay. So starting from the basis that when a blind pig raid occurs there will be an arrest or ticketing that occurs —  MS. HAMMOUD: Well, I think you can ask him that question based on his experience,  MS. JAMES: Yeah, that's all I'm asking.  MS. HAMMOUD: Based on his experience.  Yeah. Based on your experience in executing blind pig raids, who usually makes the decision regarding who is going to be arrested for a crime or ticketed and charged with a crime?  It varies.  Okay. So can you elaborate on that a little bit?  Yes.  Can you tell me the variations?  Yes. If I'm the undercover officer inside the blind pig

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# Tyrone Gray 10/25/2011

### 9 (Pages 30 to 33)

		J (rages		60 337
		Page 30		Page 32
1		liquor, meaning the persons who may be performing the sex	1	it could vary. It could be a large location where we have
2		acts, meaning the persons that may be selling the	2	a lot of police officers executing a search warrant, and
3		narcotics, maybe the person working the door, maybe the	3	everybody's assignment would be different. If we have
4		security team, maybe whoever is inside the location		
5			4	plans to a location, some will branch off and spray into
		operating or engaging as persons who are employed or	5	the location, different areas. I think that's what you're
6		employees of the blind pig. So if that determination —	6	asking me.
7		if those observations are made by the undercover officer,	7	Q Kind of. I'll ask something a little different and see if
8		then I will notify the actual raid team of my observations	8	this helps us. On the second page of Exhibit No. 3,
9		and circumstances involving those parties involved, and	9	referring again to those assignments, number one through
10	_	then they will be ticketed based on my observations.	10	nine, in your experience, is there usually a written
11	Q	I see. Okay. Let's narrow our focus slightly, then, to	11	document for each raid that lists which officers are
12		when people are ticketed for loitering in a place of	12	assigned to those assignments?
13		illegal occupation. Is it your experience in blind pig	13	A No. That's done on the briefing. There's no written
14		raids that when you have been involved in these raids,	14	documentation. That's all done on the briefing.
15		that people are typically ticketed for loitering in a	15	Q Okay. I'll have you hang on to that one, because I am
16		place of illegal occupation?	16	going to come back to it in a moment, but I'm going to
17	A		17	hand you Exhibit No. 4.
18	Q	• •	18	(WHEREUPON, Deposition Exhibit 4
19		was charged with loitering in a place of illegal	19	was marked for identification.)
20		occupation?	20	BY MS. JAMES:
21	Α	I have not.	21	Q And just for the record, this document is identified in
22	Q	Okay. So as to that charge, in your experience, who from	22	the upper left-hand corner with the number 203.7, and it
23		the raid team decides which of the people present are	23	says "Organized Crime, Vice and Narcotics," and it goes
24		going to be charged with that crime?	24	through page 8 of 8, but I will also note that it starts
25	A	That would be the supervisors.	25	on page 2 of 8. And I would like you to take a look at
25	A	That would be the supervisors.	25	on page 2 of 8. And I would like you to take a look at
		That would be the supervisors.  Page 31		on page 2 of 8. And I would like you to take a look at  Page 33
1	A Q	That would be the supervisors.  Page 31 I see. Okay. And based on your experience, when is that	1	on page 2 of 8. And I would like you to take a look at  Page 33 this, and as soon as you're able to answer this question,
1 2	Q	That would be the supervisors.  Page 31 I see. Okay. And based on your experience, when is that decision typically made?	1 2	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall
1 2 3	Q	That would be the supervisors.  Page 31  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the	1 2 3	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar
1 2 3	Q	That would be the supervisors.  Page 31  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the location. Actually, it varies. I mean, if we're doing a	1 2 3	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar to you?
1 2 3 4	Q	That would be the supervisors.  Page 31  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the location. Actually, it varies. I mean, if we're doing a briefing and we're doing pre-raid surveillance, we know	1 2 3 4 5	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar to you?  A I have seen some of the things in there, but everything
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1 2 3 4 5 6 7 8 9	Q	That would be the supervisors.  Page 31  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the location. Actually, it varies. I mean, if we're doing a briefing and we're doing pre-raid surveillance, we know there's persons inside of the location, supervisors will already advise us of our plan and every person's entry, their point, as far as our setup, as far as our gathering evidence or whatever, and the persons inside are to receive loitering tickets.	1 2 3 4 5 6 7 8 9	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar to you?  A I have seen some of the things in there, but everything doesn't look familiar.  Q Okay. Do you know whether this document comes from a larger manual or set of documents, if you know?  A It looks as though to be our manual.  Q I see. Okay. So is it fair to say that you're not
1 2 3 4 5 6 7 8 9	Q	That would be the supervisors.  Page 31  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the location. Actually, it varies. I mean, if we're doing a briefing and we're doing pre-raid surveillance, we know there's persons inside of the location, supervisors will already advise us of our plan and every person's entry, their point, as far as our setup, as far as our gathering evidence or whatever, and the persons inside are to receive loitering tickets.  So sometimes that decision is made by a supervisor prior	1 2 3 5 6 7 8 9	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar to you?  A I have seen some of the things in there, but everything doesn't look familiar.  Q Okay. Do you know whether this document comes from a larger manual or set of documents, if you know?  A It looks as though to be our manual.  Q I see. Okay. So is it fair to say that you're not intimately familiar with this particular document?
1 2 3 4 5 6 7 8 9 10 11	Q A	That would be the supervisors.  Page 31  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the location. Actually, it varies. I mean, if we're doing a briefing and we're doing pre-raid surveillance, we know there's persons inside of the location, supervisors will already advise us of our plan and every person's entry, their point, as far as our setup, as far as our gathering evidence or whatever, and the persons inside are to receive loitering tickets.  So sometimes that decision is made by a supervisor prior to the entry; is that correct?	1 2 3 4 5 6 7 8 9 10 11	on page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar  to you?  A I have seen some of the things in there, but everything doesn't look familiar.  Q Okay. Do you know whether this document comes from a larger manual or set of documents, if you know?  A It looks as though to be our manual.  Q I see. Okay. So is it fair to say that you're not intimately familiar with this particular document?  A That's fair.
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	That would be the supervisors.  Page 3.1  I see. Okay. And based on your experience, when is that decision typically made?  It would be made as far as while we're inside of the location. Actually, it varies. I mean, if we're doing a briefing and we're doing pre-raid surveillance, we know there's persons inside of the location, supervisors will already advise us of our plan and every person's entry, their point, as far as our setup, as far as our gathering evidence or whatever, and the persons inside are to receive loitering tickets.  So sometimes that decision is made by a supervisor prior to the entry; is that correct?  That's a fair statement.  Okay. In your experience in blind pig raids, is there usually a written raid plan that is specific to that raid?  Can you repeat that?  Sure. And I can elaborate a little bit. Earlier you referred to Exhibit No. 3 as a raid plan, and I'm distinguishing the question that I'm asking you from that. I'm asking something a little different. What I'm asking is, in your experience in the execution of blind pig raids, is there usually some kind of written raid plan	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	page 2 of 8. And I would like you to take a look at  Page 33  this, and as soon as you're able to answer this question, I'd just like you to tell me whether or not you recall having seen this document before. Does that look familiar  to you?  A I have seen some of the things in there, but everything doesn't look familiar.  Q Okay. Do you know whether this document comes from a larger manual or set of documents, if you know?  A It looks as though to be our manual.  Q I see. Okay. So is it fair to say that you're not intimately familiar with this particular document?  A That's fair.  Q Is that fair? All right. We'll set that one aside then. I'll take it back from you.  I'm looking back at Exhibit No. 3 again, on the second page, and I'm looking under "Raid Procedures" which is sort of in the middle of the page. I want to ask you a few follow-up questions about that. Can you describe to me generally what happens at a briefing prior to a raid?  A Yes. During the briefing, the supervisors, OIC, would give each officer their assignments prior to the raid, also indicate a route of travel in case an officer goes

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### Tyrone Gray 10/25/2011

### 10 (Pages 34 to 37)

		, ,		•	,
		Page 34			Page 36
1		Other things, what to look for, if they may have	1	Q	Correct.
2		dogs, animals, kids, where the weapons are stored, this	2	Ā	Not personally,
3		information is gathered on the pre-raid surveillance or	3	Q	- · · ·
4		possible UC, undercover officer making entry into the	4	A	
5		location prior to and is able to give that information to	5	0	
6		the actual supervisors; so during the raid, the supervisor	6	~	complaints or communicate with any people who complained
7		can give that to the actual raid team so they can know	7		about the location; is that fair?
8		what to look for upon entry.	8	Δ	No. That would be done by the supervisor.
9	Q		9		Based on what you did hear about these complaints, do you
1.0	~	- at these briefings? Excuse me.	10	V	have any understanding of whether they were received in
11	A	Well, the written documents, it depends. Search warrant	11		writing or by telephone or by any other means?
12	71	definitely.	12	А	I don't know.
13	Q		13	_	
14	-	Every officer would be advised on the location we're going	14	Q	
15	71.	to, description of the location, and if that information	15	٨	of activity was complained of, if you know?  I don't know. I don't recall.
16	•	that we have prior to on a past Well, it varies. It	16	_	
17				Q	
18		depends if we have received information in the past	17		surveillance of this location, if you recall?
19		involving the location. That would be a UC officer making	18	_	I don't recall.
20		entry or being a prior execution of a search warrant, what to look for, trap doors, things of that nature, where the	19	Q	So is it fair to say that you don't personally remember
21			20		undertaking any surveillance of this location as you sit
		firearms are kept, where people go and run and hide. And	21		here today?
22		then also in the search warrant it will include	22	A	Fair,
23 24		descriptions or names of individuals who are actually	23		Okay. So when I refer to this case, I'm talking about the
	0	engaging as possible owner slash operators.	24		CAID raid. Who was the officer in charge in this case, if
25 	Q	And just for the record, when you referred earlier to UCs,	25		you recall?
		Page 35			Page 37
1		Page 35 that was undercover officers; is that right?	1	A	Page 37 Lieutenant Vicki Yost.
1 2	A	that was undercover officers; is that right?	1 2	A Q	_
	A Q	that was undercover officers; is that right? That's correct.	i		Lieutenant Vicki Yost. Was she also the raid commander?
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2		that was undercover officers; is that right? That's correct. And when there is a search warrant present at the	2	Q	Lieutenant Vicki Yost. Was she also the raid commander?
2 3 4		that was undercover officers; is that right?  That's correct.  And when there is a search warrant present at the briefing, is that typically read to the officers, or are	2 3 4	Q A Q	Lieutenant Vicki Yost.  Was she also the raid commander?  She's the OIC, raid commander. You would call it a raid commander. She was in charge of the operation.  Who was the deputy raid commander?
2 3 4 5	Q	that was undercover officers; is that right?  That's correct.  And when there is a search warrant present at the briefing, is that typically read to the officers, or are all officers provided with their own copy?	2 3 4 5	Q A Q	Lieutenant Vicki Yost.  Was she also the raid commander?  She's the OIC, raid commander. You would call it a raid commander. She was in charge of the operation.  Who was the deputy raid commander?  Well, that would fall up under the supervision that we
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2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	That's correct.  And when there is a search warrant present at the briefing, is that typically read to the officers, or are all officers provided with their own copy?  That is read to the officers.  Okay. Now, when the assignments are made by the supervisors, if you know, are those assignments usually determined ahead of time, or are the assignments decided and given at the briefing itself, if you know?  I don't know.  And do you know whether I think you might have alluded to this earlier, but do you know whether or not those assignments are ever written down anywhere?  You'd have to ask the supervisor that question.  Okay. I'd like us to focus again this time moving on to the incident that brings us here today. I'm going to refer occasionally to this location called the  Contemporary Art Institute of Detroit, and for the sake of brevity, from now on I'm going to refer to it as the CAID.  Is that okay with you?  That's fine.  Are you aware of any complaints that were made about the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q A Q	Lieutenant Vicki Yost.  Was she also the raid commander?  She's the OIC, raid commander. You would call it a raid commander. She was in charge of the operation.  Who was the deputy raid commander?  Well, that would fall up under the supervision that we have, Sergeant Daniel Buglo and Sergeant Charles Turner.  And looking again at our list of assignments one through nine, do you know who was given any of these specific assignments at this raid?  I do not recall.  And do you know whether or not there's any document or record that records who had these assignments for this raid?  I do not.  At this particular raid, do you know — We talked earlier about the fact that sometimes a decision is made prior to the raid that people who are present will be ticketed with loitering in a place of illegal occupation. Do you know whether that was the case at this raid? Was that decision made prior to the raid itself?  I don't recall.
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### 11 (Pages 38 to 41)

		11 (10905)	, 50	CO 41/
		Page 38		Page 40
1		whether, at this particular raid, there was a photo of all	1	that were involved in this raid who would not have
2		engagers and loiterers?	2	attended the briefing?
3	Α	I don't recall.	3	A No. Every officer that was involved in the raid must
4	Q	Do you know whether or not there are any documents that -	4	attend the briefing.
5		Well, let me actually back up for one moment.	5	Q Okay. What do you recall about this briefing, if
6		Do you recall approximately how many officers	6	anything?
7		were involved in this operation? And when I say	7	A Actually, I don't recall it. I recall being there.
8		"operation," I'm referring only to the raid itself.	8	Q Okay. But nothing specific?
9	Α	To the CAID?	9	A I don't recall. Nothing stands out.
10	Q	Correct,	10	Q Okay. Do you recall who ran the briefing, who was in
11	Α	More than ten, less than thirty.	11	charge of the briefing?
12	Q	So if other officers have testified that there were closer	12	A I don't even recall that.
13		to fifty, would you disagree with that testimony?	13	Q Do you recall whether or not the warrant was read at the
14	A	I wouldn't disagree with it. There were a lot of	14	briefing?
15		officers.	15	A The warrant was definitely read. Well, I'm going off and
16	Q	Do you know whether or not there are any documents that	16	believing that the warrant was read in all our briefings,
17		would list all of the officers who were involved?	17	but I don't recall I don't recall this particular one.
18	A	Activity logs.	18	Q So let me just make sure we're on the same page. You
19	Q	Okay. Do you know whether there is Well, let me	19	don't have a specific memory of this warrant being read at
20		clarify your last answer. When you say activity logs, is	20	the briefing, but based on your experience, the warrant is
21		it a fair statement to say that any officer who was	2.1	always read at the briefing, so it must have been read
22		involved would have noted in their own activity log that	22	here; is that what you're saying?
23		they had been present at this location; is that fair?	23	A Based on my past experience, warrants are read.
24	Α	That's correct.	24	Q So do you have any recollection of what this warrant
25	Q	Okay. Do you know whether there is a single document in	25	authorized Let me strike that and let me rephrase it.
		Page 39		Page 41
		•		_
1		existence that would list all of the officers who were	1	Do you have any recollection, as you sit here,
`2		present?	2.	of what exactly this warrant authorized?
3		I do not know of any.	3	A I do not.
4 -	Q	Okay. Do you know whether there are any documents that	4	Q Okay. Do you have any recollection, as you sit here, of
5		describe what equipment was used for this particular raid?	5	Actually, let me back up and ask this a different way.
6		I don't know of any.	6 .	Am I correct in understanding that there were
.7	Q	Okay. Let's talk about the briefing for this particular	7	more units than just vice enforcement involved in this
8 9		raid. As you sit here today, do you have any recollection	8	raid; is that fair?
_	٨	at all of being at the briefing for this raid?	9	A That's fair.
10	_	I believe we had the briefing at the TSS base.	10	Q Okay. Do you recall, as we sit here, what other units
11	Q	Okay. And can you tell me what TSS stands for?	11	were involved?
12	A		12	A Vice enforcement and TSS is what I recall.
13	Q	į	13	Q Is TSS also sometimes called TMU, or are those two
14		me roughly, if you recall, how far away the TSS base was	14	different things?
15		from the raid location, how long it would take to get from	15	A I think traffic motor unit is TMU, I believe.
16		one place to the other?	16	Q I have heard TMU referred to as tactical mobile unit.
17	_	Leaving from TSS base?	17	A Tactical mobile unit. It's been changed, different
18	Q		18	abbreviations for it. It's been changed from TSS, TMU. I
19	_	Less than five minutes.	19	believe it was something else years ago.
20	Q		20	Q Okay. I'm sorry, Had you finished listing the other
21		present for the briefing?	21	units that you recall being involved?
22		Majority of the officers, as I stated to you earlier and	22	A That's all I recall.
23		that you said there was testimony saying there was	23	Q Do you recall whether narcotics was involved?
24		possibly fifty officers.	24	A I believe there were a couple narcotics officers there.
25		To your knowledge, would there be any group of officers	25	Q Do you recall whether SRT was involved?

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### 12 (Pages 42 to 45)

		12 (rages	-4±∠i I	L	J 45)
		Page 42			Page 44
1	Α	I don't.	1		that may exist. With the magnitude of that many people, I
2		Okay. Did you take any written notes during this	2		don't recall if there were two. Could have been.
3	•	briefing?	3	Q	
4	A	I did not.	4	-	In my past experience, no.
5	Q		5	0	
6	~	raids, is it part of your practice to ever take written	6	~	have been more than one shotgun person?
7		notes?	7	Α	I don't recall.
8	Α	No.	8	Q	
9	0		9	V	building?
1.0	~	you recall?	10	A	It would be through the building side. I don't recall
11	Α	I did not.	11		which entrance, what side of the building it was on.
12	0		12	O	
13	~	were shown a map of the area that you were going to raid?	13	~	entrance?
14	А	I don't recall.	14	A	There's an outside area. I'm not quite sure if there was
15		Okay. Do you recall whether you were shown photos of the	15		I don't recall if there was an entrance actually over
16	~	building?	16		there.
17	Α	I don't recall.	17	ก	Were you the first officer in the building, or did
18		Okay. We're going to transition away from the briefing	18	V	officers enter before you?
19	~	and into the raid. Do you recall what your assignment was	19	A	I don't recall. I don't recall if I was the shotgun. If
20		in this particular raid?	20	11	I was shotgun, I would be the first person in, but I don't
21	Α	I believe I was part of the entry team.	21		recall.
22		Okay. So what were your instructions for this raid?	22	Ω	Do you recall, once you did enter the building, do you
23		Being a part of the entry team, you're inside the location	23	~	recall sort of where you went first? As I understand it,
24		where the shotgun person is or whoever is on point, crowd	24		there are different rooms in this building, so do you
25		control as well as monitoring everyone inside the location	25		remember what room you went to first?
		Page 43			Page 45
1		who is in your general area. As you're going through the	1	A	I don't recall exactly which room. I do recall being
2		location clearing, we're saturating the building as well	2	•	outside.
3		as the outside area with police officers to monitor	3	Q	Okay. So at some point you recall having arrived at what
4		individuals that are present,	4		we'll call the patio area outside?
5	Q	Do you happen to recall how many people not police	5	Α	That's a fair statement.
6		officers but other people. Do you happen to recall a	6	Q	During this particular entry, do you recall whether
7		rough estimate of how many people were at the CAID that	7		officers Well, let me back up and rephrase this.
8		night?	8		During this particular entry, do you recall
9	Á	More than twenty.	9		what, if anything, officers would have said as they
10	Q	If the records showed that more than 130 people were	10		entered?
11		ticketed, would you have any reason to disagree with that?	11	Α	"Police, search warrant."
12	A	No, I wouldn't have a reason to disagree. There were a	12	Q	Would you tell people to get down?
13		lot of people there.	13	Α	Yes.
14	Q	Do you recall whether or not you were the shotgun person	14	Q	Do you recall whether any officers, and pardon my
15		that night?	15		language, but do you recall whether any officers would say
16	Α	I don't recall if I was.	16		things like, "Get the fuck down on the ground"?
17	Q	In a raid where there are more than a hundred people that	17	Α	I don't recall that.
18		are anticipated to be present, in your experience, would	18	Q	Okay. In your experience in blind pig raids, would that
19		there be more than one shotgun person assigned?	19		be unusual for someone to say something like, "Get the
20	Α	Well, that depends on who is actually on point and	20		fuck down on the ground"?
21		whatever the supervisor's discretion is. Normally, in my	21	Α	I don't recall hearing anything to that extent on that
22		past experience working with narcotics, dealing with homes	22		day.
23		or other blind pigs, there's normally only one shotgun	23	Q	Have you heard officers use similar language in blind pig
24		person, and that person is to clear the location and be	24		raids ever that you recall?
25		the first person to encounter any threats or all threats	25	Α	I don't recall.

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### 13 (Pages 46 to 49)

		13 (14908	- TO		J 43)
		Page 46			Page 48
1	0	Okay. Do you recall how you were dressed at this	1		this particular raid?
2	~	particular raid?	2	Δ	I don't recall if I did.
3	Δ	I believe I was wearing my Detroit Police issued tactical	3	Q	
4	11	uniform which has a Detroit Police patch. I believe it	4	V	where you had either a mask or a bandanna over your face?
5		was on the left chest area. My raid vest which has		A	
6		it's a Kevlar vest which has it's black in color and	5	A	Yes.
7		has white "Police" lettering on it,	6	Q	•
8	Δ		7		bandanna, what was the purpose of concealing your face?
9	Q		8	A	It's to conceal my identity. I have worked undercover
	Α		9		operations, many of blind pigs, and a lot of the
10	Q	•	10		individuals who frequent these blind pigs are owner and
11	Α	** 1	11		operators of additional separate blind pigs than the one I
12	^	well as my boots and duty belt and side arm.	12		might be working in as an undercover officer, and as far
13	Ų	I believe you testified earlier that you don't recall	13		as going to court on individuals down the road, they would
14		whether or not SRT was involved in this particular raid;	14		recognize me, and it would blow my cover if I go into
15		is that right?	15		another location, and they would recognize me as being a
16		That's right. I don't recall.	16		police officer. Therefore, I attempt to conceal my
17	Ų	Do you recall ever participating in any blind pig raids	17		identity while inside or sometimes conducting execution of
18		where SRT was involved?	18	_	search warrants at blind pigs.
19		Yes,	19	Q	•
20	Ų	Can you describe for me what an SRT how an SRT officer	20		officers Strike that,
21		is typically dressed in a blind pig raid?	21		So is it fair to say that there is no policy or
22	А	SRT wears black tactical uniforms with Detroit Police	22		procedure within the department that requires officers to
23		logos on the uniform. You have a tactical entry vest	23		be identifiable either by name or badge during the course
24		similar to the vest I was wearing on that day. Some wear	24		of these raids?
25		masks as well as the same police issued equipment that I	25	A	I don't know if there is any.
				7.1	1 don't know it didn't it
	****	Page 47		7,	Page 49
1			1	Q	
	Q	Page 47 carry.		Q	Page 49
1	-	Page 47 carry.	1	Q	Page 49 Okay. Do you recall at this raid whether or not you ever
1 2	-	Page 47 carry.  And you have never been a member of SRT, right?  No.	1 2	Q A	Page 49  Okay. Do you recall at this raid whether or not you ever had your gun drawn?
1 2 3	À	Page 47 carry.  And you have never been a member of SRT, right?  No.	1 2 3	Q A	Page 49  Okay. Do you recall at this raid whether or not you ever had your gun drawn?  I didn't have my gun drawn. I believe I I always had
1 2 3	À	Page 47 carry. And you have never been a member of SRT, right? No. Okay. If other officers have testified that SRT officers	1 2 3	Q A	Page 49  Okay. Do you recall at this raid whether or not you ever had your gun drawn?  I didn't have my gun drawn. I believe I — I always had my firearm on the ready.
1 2 3	À	Page 47 carry. And you have never been a member of SRT, right? No. Okay. If other officers have testified that SRT officers wear all black with no logo, would you have a reason to	1 2 3 4 5	Q A Q A	Page 49  Okay. Do you recall at this raid whether or not you ever had your gun drawn?  I didn't have my gun drawn. I believe I I always had my firearm on the ready.  Can you describe what "on the ready" means?
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## Tyrone Gray 10/25/2011

### 14 (Pages 50 to 53)

		11 (Lagor	, 50		35 /
		Page 50			Page 52
1		that threat on.	1	0 (	Okay. Do you recall how long you were at the CAID that
2	Q		2		ight?
3	•	typically?	3		don't recall how long we were there.
4	Α		4		Do you recall whether all of the patrons had left the
5	0		5	-	uilding by the time you left? Do you recall that?
6	_	other than the shotgun person and the shotgun backup, do	6		don't recall.
7		you recall if any officers had their guns drawn at this	7	Q I	Do you recall how long the patrons and the people who were
8		raid?	8		cketed that evening were detained at the CAID?
9	Α	I don't recall.	9		No, I don't recall.
10	Q	Were you involved in any way in how Strike that. Let	10	Q I	f others have testified that it was several hours, would
11		me start again.	11		ou have any reason to disagree with that based on what
1.2		Do you recall personally searching anyone at	12	yo	ou do recall?
13		this particular raid?	13		MS. HAMMOUD: Let me object to foundation, but
14	Α	I believe I patted several people down for offensive	14	yo	ou can answer if you know.
1Š		weapons.	15		THE WITNESS: I wouldn't object to it. We were
16	Q	And can you describe the pat-down process?	16	th	ere for a while, but I don't know the exact time, that's
17	Α	Patting down the outer garments of a person or pants	17	all	1.
18		pockets, waistband, just to make sure there aren't any	18	BY N	MS. JAMES:
19		knives or any firearms that this person may be in	19	QC	Okay. Do you recall whether, when you left, the sun was
20		possession of,	20	be	eginning to rise? Do you recall that?
21	Q	Do you recall, at this particular raid, whether you ever	21		don't recall.
22		put your hands inside someone's pockets and took anything	22		Given that you don't remember exactly how long it was,
23		out of their pockets?	23		hile you were present at the CAID and from what you do
24	_	I don't recall if I did.	24		member, were the patrons free to move around at any time
25	Q	Do you recall whether any other officers reached into	25	wl	hile you were present?
		Page 51			Page 53
1			1	Α \	
1 2	Α	anyone's pockets?	1 2		When you say "free to move around," what do you mean?
	A Q	anyone's pockets?  I don't know if they did.		Q S	When you say "free to move around," what do you mean? Sure. My understanding is that people were instructed to
2		anyone's pockets?  I don't know if they did.	2	Q S	When you say "free to move around," what do you mean?  Sure. My understanding is that people were instructed to et down on the ground. Is that what you recall?
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## Tyrone Gray 10/25/2011

### 15 (Pages 54 to 57)

		15 (Pages	54	t	5 57)
		Page 54			Page 56
1,		waiting to be processed, what would they do, if you	1.	Α	I don't recall being.
2		recall?	2	Q	
3	Α	Well, they were centralized. They weren't free to walk	3		you.
4		around, if that's what you're asking.	4		I'm going to hand you what is being marked as
5	Q	Yes.	5		Exhibit No. 5.
6	A	They were not free to walk around throughout the	6		(WHEREUPON, Deposition Exhibit 5
7		establishment while we were there.	7		was marked for identification.)
8	Q	Do you remember if they were allowed to stand or sit or	8		(Recess taken from 12:03 to 12:17 p.m.)
9		kneel?	9	BY	Y MS. JAMES:
10	A	I recall seeing some individuals standing, some	10	,Q	We'll go back on the record. I handed you right before
11		individuals sitting.	11		the break what's been marked as Exhibit 5, and it's a
12	Q	Okay. Was there a general directive among law enforcement	12		Detroit Police Department activity log dated May 30th,
13		that officers wanted them to either be standing or sitting	13		2008. It lists a total of eight people, including
14		or kneeling? Do you recall whether or not Well, hold	1.4		yourself, and it is one, two, three, four, five, six pages
15		on one minute. Just go off the record a second.	15		long that are double-sided. Can you tell me, Officer
16		(Discussion off the record.)	16		Gray, by looking at this, do you recall who actually
17		THE WITNESS: Can you repeat your question?	17		prepared the activity log, if you recall?
18		Y MS. JAMES:	18	Α	I believe Sergeant Buglo prepared this activity log. This
19	Q	Sure. Do you recall, at this particular raid, whether	19		is his format.
20		there was a uniform instruction by law enforcement to	20	Q	
21		either have people sit or kneel or stand, if you recall?	21		prepared by Sergeant Buglo summarizes the activity of all
22		I don't recall.	22		eight officers listed for this particular shift?
23	Q	Do you recall, at this particular raid, whether you saw	23	_	Yes, it's fair to say.
24 25		any patrons that had been handcuffed?  I don't recall.	24	Q	Okay. And there is a signature next to your name on line
	A.	i doirt recan,	25		three. Do you recognize that as your signature?
	A	Page 55	25		Page 57
1	Q	Page 55	1		
		Page 55		A 'Q	Page 57 Yes.
1		Page 55  Do you recall, at this particular raid and this would	1		Page 57 Yes.
1 2		Page 55  Do you recall, at this particular raid and this would have been during the initial entry, not after the centralization, but do you recall whether any officers put their hands on anyone or any part of their body, their	1 2		Page 57  Yes.  Okay. Now, the briefing that we discussed earlier for
1 2 3		Page 55  Do you recall, at this particular raid and this would have been during the initial entry, not after the centralization, but do you recall whether any officers put	1 2 3		Page 57  Yes.  Okay. Now, the briefing that we discussed earlier for this particular raid, do you see on this activity log, is
1 2 3	Q	Page 55  Do you recall, at this particular raid and this would have been during the initial entry, not after the centralization, but do you recall whether any officers put their hands on anyone or any part of their body, their hands or their feet on any patrons to get them to get down on the ground? Do you recall whether that ever happened?	1 2 3	Q	Yes. Okay. Now, the briefing that we discussed earlier for this particular raid, do you see on this activity log, is the briefing included in any of the notations on this activity log? It's not notated on here, but that would be in the TMU
1 2 3 4 5 6	Q	Page 55  Do you recall, at this particular raid and this would have been during the initial entry, not after the centralization, but do you recall whether any officers put their hands on anyone or any part of their body, their hands or their feet on any patrons to get them to get down on the ground? Do you recall whether that ever happened? No, I don't recall that.	1 2 3 4 5	Q	Yes. Okay. Now, the briefing that we discussed earlier for this particular raid, do you see on this activity log, is the briefing included in any of the notations on this activity log?
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1 2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q	Page 55  Do you recall, at this particular raid and this would have been during the initial entry, not after the centralization, but do you recall whether any officers put their hands on anyone or any part of their body, their hands or their feet on any patrons to get them to get down on the ground? Do you recall whether that ever happened? No, I don't recall that.  Do you recall seeing any officers kick or step on any patrons?  No, I didn't see that.  Okay. Is it also fair to say that given what you recall of this particular location, that depending on where you were at in the building, you would not always be able to see what's happening in other locations in the building?  For example, if you were inside the building, you could not see what was happening on the patio and vice versa? That's correct.  Okay. Oh, and this might seem like a silly question, but let's just clarify. The shotgun person that we have talked about previously physically holds a shotgun, right? That's correct.  And as we have talked about this a little bit more, I'm just curious whether your memory has been refreshed. Do you remember whether you were the shotgun person for this	1 2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A	Yes. Okay. Now, the briefing that we discussed earlier for this particular raid, do you see on this activity log, is The briefing included in any of the notations on this activity log? It's not notated on here, but that would be in the TMU base secondary roll call. I see. Okay. The briefing would be done there. So the notation that begins at 12:15, as you recall, that's when the briefing occurred; is that right? That's fair. Okay. Now, let's just run through these first few items. As you can see, much of this activity log contains a list of defendants and tickets. We're not going to go through all that. I just want to look at these first few notations and ask you if you can elaborate on them. The first line says, "On duty roll call per Lieutenant Yost preparing for raid." Can you just describe briefly what occurred at that time? It's on duty roll call. Officers arrived on scene at our vice enforcement base, checked in, get our gear on,

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# Tyrone Gray 10/25/2011

## 16 (Pages 58 to 61)

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		Page 58	-		Page 60
1	Q	When you say that the supervisors had a briefing, do you	1	0	So is it a fair statement that the bulk of that time
2	`	mean that the supervisors briefed all of the officers who	2	•	between 12:45 and until after two a.m., you're essentially
3		are listed here on this activity log, or do you mean that	3		waiting; is that fair?
4		the supervisors had their own briefing just among	4	A	
5		themselves that you were not present at?	5	0	
6	Α	That's what I mean, that I was not present at. None of	6	×	location and says, "Execution of search warrant." That
7		the officers were present at. When they come in, they	7		seems to be fairly self-explanatory.
8		would brief amongst each other as supervisors.	8		Do you recall how long you were standing by at
9	Q		9		the location of the raid itself before the entry was made?
10	~	period of time where the supervisors were having their	10	A	Can you repeat that?
11		briefing?	11	0	
12	A	I believe I was in my cubicle.	12	V	the location of the raid, right?
1.3	Q	and the second s	13	A	Okay.
14	A	- ·	14		Do you recall approximately what time that travel
15	Q		15	V	occurred?
16	Ų	that what you would typically do?	16	A	I don't.
17	Δ	Possibly catch up on paperwork or do other things.	17		
18	Q		l	Q	
19	Ų	in preparation for this raid?	18		passed between when you arrived at the location and when
20	λ	I don't believe I was.	19		you made the entry, or was the entry immediate, as soon as
21			20		you arrived?
22	Ų	Okay. So the notation that says, "preparing for execution of search warrant," and that looks like it was from 11:00	21	_	I believe the entry was immediate upon our arrival.
23			22	Q	· · · · · · · · · · · · · · · · · · ·
		to 12:00, do you recall what occurred during that time	23		that says "Type Activity," and for each of the entries, it
24		period?	24		says "MA." Can you tell me what "MA" means?
25	A	I believe all officers were there changing over, getting	25	A	Miscellaneous activity.
		Page 59			Page 61
1		dressed in tactical uniform, things of that nature.	1	Q	And if you would just flip all the way to the last page,
2	Q	And did that occur at the vice enforcement unit, or was	2	•	the next notation is 5:45 a.m., "Base 22 processing
3		that over at the TMU base?	3		prisoners, property and paperwork." Do you recall what
4	A	That would be vice enforcement unit.	4	<u> </u>	this means? Can you elaborate on that?
5	Q	All right. And the next notation is 12:15, "TMU base	5	Α	Yes. Base 22, we're just at that time processing our
6		secondary roll call," and I believe that's when you	6		property evidence that was seized or gathered, if there
7		described the briefing as occurring during that time	7		was any, and finishing up paperwork, if there were any
8		period. Do you remember if there was anything else that	8		paperwork that needs to be tightened up on as far as
9		occurred during that time period?	9		impound cars or tickets or anything of that nature.
10	A	Just a large briefing, information about the search	10	0	Okay. Now, in viewing this activity log, do the time
11		warrant.	11	_	notations on this activity log help to refresh your
12	Q	Okay.	12		recollection as to how long you were present at the CAID?
	A	Assignments and things of that nature.	13		Yes, it does.
13	Q	The next notation is 12:45, "TMU base standing by awaiting	14	0	
		, , , , ,		ч.	
13	`	information from UC officers inside the location." What			this, how long you believe you were at the CAID that
13 14		information from UC officers inside the location." What do you recall about that time period?	15		this, how long you believe you were at the CAID that evening?
13 14 15		do you recall about that time period?	15 16	A	evening?
13 14 15 16		do you recall about that time period?  After the briefing, myself and members of the police	15 16 17		evening? Several hours. 2:20, execution of search warrant was
13 14 15 16 17		do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base	15 16 17 18		evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of
13 14 15 16 17		do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base waiting for the information to be disseminated for	15 16 17 18 19		evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of travel to get to Base 22, but at Base 22, at that time, we
13 14 15 16 17 18		do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base waiting for the information to be disseminated for observations observed by Lieutenant Vicki Yost and	15 16 17 18 19 20		evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of travel to get to Base 22, but at Base 22, at that time, we were at the base at 5:45 a.m., so several hours we were at
13 14 15 16 17 18 19 20 21		do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base waiting for the information to be disseminated for observations observed by Lieutenant Vicki Yost and Sergeant Daniel Buglo that were assigned as the UC	15 16 17 18 19 20 21		evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of travel to get to Base 22, but at Base 22, at that time, we were at the base at 5:45 a.m., so several hours we were at the CAID.
13 14 15 16 17 18 19 20 21		do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base waiting for the information to be disseminated for observations observed by Lieutenant Vicki Yost and Sergeant Daniel Buglo that were assigned as the UC officers for this operation.	15 16 17 18 19 20 21	Q	evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of travel to get to Base 22, but at Base 22, at that time, we were at the base at 5:45 a.m., so several hours we were at the CAID.  Okay. I'll take that back from you.
13 14 15 16 17 18 19 20 21	A	do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base waiting for the information to be disseminated for observations observed by Lieutenant Vicki Yost and Sergeant Daniel Buglo that were assigned as the UC	15 16 17 18 19 20 21 22	Q A	evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of travel to get to Base 22, but at Base 22, at that time, we were at the base at 5:45 a.m., so several hours we were at the CAID.  Okay. I'll take that back from you.  Yes.
13 14 15 16 17 18 19 20 21 22	A Q	do you recall about that time period?  After the briefing, myself and members of the police department sat around and stood around at the TMU base waiting for the information to be disseminated for observations observed by Lieutenant Vicki Yost and Sergeant Daniel Buglo that were assigned as the UC officers for this operation.  And am I correct that the raid did not occur until after	15 16 17 18 19 20 21	Q	evening?  Several hours. 2:20, execution of search warrant was conducted, and it doesn't show as far as our route of travel to get to Base 22, but at Base 22, at that time, we were at the base at 5:45 a.m., so several hours we were at the CAID.  Okay. I'll take that back from you.

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### 17 (Pages 62 to 65)

		17 (14905	02	CO 65)
		Page 62		Page 64
1		recorded any documents describing your activity at this	1	Q Yeah. Actually, I think I can ask it in a more specific
2		raid?	2	way. I'm going to hand to you what's going to be marked
3	Α	No.	3	as Exhibit No. 6.
4	Q		4	(WHEREUPON, Deposition Exhibit 6
5	ν.	of this raid?	5	was marked for identification.)
6	Α		6	BY MS. JAMES:
7	0		7	Q And this is a DPD Crime Report, Case No. 0805310096.1
8	V	recall whether the team received any information that	8	dated May 31st, 2008. And, Officer Gray, I'm going to
9		would have led you to believe this was an unusually	9	direct your attention to the top of page 2. Defendant
1.0		dangerous situation, such as undercover surveillance had	10	number 14 at the very top, Olivia Marie Pizzo, and based
11		revealed weapons and narcotics and things of that nature?	11	on this record, this record lists you as having cited Miss
12		Do you remember anything of that sort?	12	•
13	۸.	· -		Pizzo for loitering in a place of illegal occupation; is
	A	I don't recall being advised of any weapons observed or	13	that correct?
14		being, you know, passed around to other individuals. I	14	A That's correct.
15	_	don't recall being advised of that.	15	MS. HAMMOUD: Counsel, do you have a copy? I'm
16	Ų	Based on your experience in other blind pig raids, would	16	sorry.
17		you say this particular raid was conducted similarly to	17	MS, JAMES: Sure.
18		other blind pig raids that you have been involved in?	18	MS. HAMMOUD: Thank you.
19	_	Yes.	19	MS. JAMES: We're at the top of page 2,
20	Q	, , , , , , , , , , , , , , , , , , , ,	20	defendant number 14.
21		the decision regarding the issuing of tickets for	21	BY MS. JAMES:
22		loitering in a place of illegal occupation?	22	Q Based on your recollection, what do you recall what is
23	Α	That would be a supervisor. I don't recall which	23	your understanding of what she did on that particular date
24	_	supervisor made that,	24	to warrant ticketing her for loitering in a place of
25	Q	Do you remember whether that decision was made prior to	25	illegal occupation?
		Page 63		Page 65
1		_	1	_
1 2	A	entry itself?	l	A Being inside of a location that was deemed a blind pig.
	A	entry itself?  As I stated to you earlier, it depends. It varies. · It	1 2 3	A Being inside of a location that was deemed a blind pig. Q So, now, number one, do you recall whether you personally
2		entry itself?  As I stated to you earlier, it depends. It varies. It depends on	2	Being inside of a location that was deemed a blind pig.     So, now, number one, do you recall whether you personally made the decision to ticket her or whether it was the
2 3	Q	entry itself?  As I stated to you earlier, it depends. It varies. · It	2	A Being inside of a location that was deemed a blind pig.  Q So, now, number one, do you recall whether you personally made the decision to ticket her or whether it was the result of an order by a supervisor?
2 3	Q	entry itself? As I stated to you earlier, it depends. It varies. It depends on I'm talking about this particular raid. Do you recall? I don't recall.	2 3 4	A Being inside of a location that was deemed a blind pig.  Q So, now, number one, do you recall whether you personally made the decision to ticket her or whether it was the result of an order by a supervisor?
2 3 4 5	-Q A	entry itself?  As I stated to you earlier, it depends. It varies. It depends on  I'm talking about this particular raid. Do you recall?  I don't recall.  Okay. For those who were ticketed for loitering in a	2 3 4 5	A Being inside of a location that was deemed a blind pig.     Q So, now, number one, do you recall whether you personally made the decision to ticket her or whether it was the result of an order by a supervisor?      A Well, the order came from supervision to ticket everyone inside.
2 3 4 5 6	-Q A	entry itself?  As I stated to you earlier, it depends. It varies. It depends on  l'in talking about this particular raid. Do you recall?  I don't recall.  Okay. For those who were ticketed for loitering in a place of illegal occupation, based on your understanding	2 3 4 5 6	<ul> <li>A Being inside of a location that was deemed a blind pig.</li> <li>Q So, now, number one, do you recall whether you personally made the decision to ticket her or whether it was the result of an order by a supervisor?</li> <li>A Well, the order came from supervision to ticket everyone inside.</li> <li>Q Okay.</li> </ul>
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10/25/2011

### 18 (Pages 66 to 69)

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		Page 66		Page 68
1		presence in an establishment that was not properly	1	we'll be renewing our request to get copies of those.
2		licensed to sell liquor? Do you recall an instance?	2	BY MS. JAMES:
3	A	No, I don't.	3	Q I want to back up again. The defendants that we I'm
4	0		4	assuming that stands for defendant. Is that your
5	`	the page, Defendant number 25, Joy Alicia Wells, and,	5	understanding, Officer Gray, that when it says DEF period
6		again, this report has you ticketing her for loitering in	6	and then a number, that means defendant?
7		a place of illegal occupation; is that correct?	7	A That's correct.
8	Α		8	Q Okay. The list of defendants that we went through a few
9	0		9	moments ago, to your knowledge and recollection, other
10	•	doing anything that authorized ticketing her?	10	than their presence inside the establishment, do you
11	Α		11	recall whether you observed them engage in any other
12		inside of the location.	12	activity that you would understand as being illegal
13	O	I'm just going to ask you about one more. We're going to	13	activity?
14	~	flip to page 5, Defendant number 86, Jason Anthony	14	A Are you saying other than the first four that is on the
15		Leverette-Saunders, and, again, this document has you	15	report? What are you asking me?
16		ticketing him for loitering in a place of illegal	16	Q Okay. Let me rephrase it. The three defendants that we
17		occupation, and is it again fair to say that the reason	17	spoke about
18		that he was ticketed as you understand it was by being	18	A Correct.
19		present at this location; is that fair?	19	Q — I believe you testified that your understanding of the
20	A.	Being present inside of the location, yes, ma'am.	20	basis for ticketing them for loitering was their presence
21		Okay. So when you write a ticket to someone for loitering	21	in the establishment?
22	×	in a place of illegal occupation, a copy of the ticket is	22	A Correct.
23		given to the subject; is that right?	23	
24	Α	That's correct.	24	Q What I'm asking is whether you observed them doing anything else that you would understand to be illegal
25	0	And then how many additional copies exist?	25	activity?
		The dien now many additional copies exist.		activity;
		Page 67		Page 69
1	Α	There are two hard copies, but those are sent down to the	1	A No.
2 '		•		71 110,
3		courts,	2	Q Okay. Did you observe This is not limited to the
		courts.  Both other copies are sent to the court?	2	
4			1	Q Okay. Did you observe This is not limited to the
- <b>4</b> 5	Q A Q	Both other copies are sent to the court? Yes. Okay. Do you know whether there's any copy of the ticket	3	Q Okay. Did you observe This is not limited to the people that we just spoke about. This is in general. Do
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## 2:10-cv-10675-VAR-MKM Doc # 84-26 Filed 04/17/12 Pg 20 of 29 Pg ID 2189

# Tyrone Gray 10/25/2011

### 19 (Pages 70 to 73)

		(	, , ,	٠.	0 , 0 ,
		Page 70			Page 72
1		an individual is writing out tickets, they receive an ID	1		did not author either of these reports, either Exhibit 6
2		from everyone. IDs normally are gathered from everyone	2		or 7?
3		inside the location. Those who don't have IDs, they may	3	A	
4		be separated so their names can be verified to actually	4	0	
5		their identity. Those who have IDs, they'll be put on the	5	V	toward the bottom of the page. It says VEU number 48. Do
6		table where the processing starts. Persons at the	6		you know what VEU stands for by the way?
7		processing table will write the tickets out, and they will	7	λ	I don't remember the acronym for that.
8		put whoever the officers that are present, their names go	8	0	
9		on those tickets,	9	Ų	VEU48, Joy Alicia Wells. Do you recall whether you
10					· · · · · · · · · · · · · · · · · · ·
1.1		As far as engagers, though, those tickets will	10		authorized the seizure of Miss Wells' vehicle?
12		be written to the officers who observed any illegal	11	A	
		activity taking place as far as working undercover	12	Q	I see. Okay. So would it be fair to say that any of the
1.3	_	capacity to be inside of the location.	13		vehicle seizures, all of those decisions or the
14	Ų	Okay. So is it fair to say that you basically ticketed	14		authorizing of such seizures would have been made by a
1.5		anyone who was ready for processing at the same time that	15		supervisor that day?
16		you were available for processing; is that fair?	16	Α	It would be the supervisor of the operation, yes.
17	Α	Well, I'm not quite sure if I was at the processing table	17	Q	,
18		that day. I don't recall. It varies. Being this	18		impoundment?
19		magnitude, with so many people there, there's the	19	A	
20		possibility somebody probably got tired of writing so many	20	Q	•
21		tickets, but it varies. At certain times, it could be	21	Α	with the vehicles. I probably did sign some if they
22		just two officers at a table or three officers or four,	22		weren't already prepared.
23		and they will write out all of the tickets.	23	Q	Okay. The report we have in front of us, Exhibit No. 7,
24	Q	I see. So some of the officers whose names appear on	24		you are listed as the person having ticketed Miss Wells
25		several tickets may have been seated at that processing	25		for loitering in a place of illegal occupation; is that
		Page 71			Page 73
1		Page 71.	1		Page 73
1 2	Ä	table for a period of time?	1 2	Δ	right?
2	À	table for a period of time? That's a fair statement.	2	A	right? Yes, that's correct.
2 3	Q	table for a period of time? That's a fair statement. Does that seem logical?	2	A Q	right?  Yes, that's correct.  Okay. Do you know whether there's any relation between
2 3	Q	table for a period of time? That's a fair statement. Does that seem logical? That's a fair statement.	2 3 4		right? Yes, that's correct. Okay. Do you know whether there's any relation between your having ticketed her — Let me rephrase this,
2 3 4 5	Q	table for a period of time? That's a fair statement. Does that seem logical? That's a fair statement. Whereas you were probably called over a few times to issue	2 3 4 5		right? Yes, that's correct. Okay. Do you know whether there's any relation between your having ticketed her — Let me rephrase this, actually.
2 3 4 5 6	Q A Q	table for a period of time? That's a fair statement. Does that seem logical? That's a fair statement. Whereas you were probably called over a few times to issue a few tickets; does that seem fair?	2 3 4 5		right? Yes, that's correct. Okay. Do you know whether there's any relation between your having ticketed her — Let me rephrase this, actually.  Do you know whether you were the person who
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## 2:10-cv-10675-VAR-MKM Doc # 84-26 Filed 04/17/12 Pg 21 of 29 Pg ID 2190

Tyrone Gray 10/25/2011

#### 20 (Pages 74 to 77)

		_	/ Tax	CO 777
		Page 74		Page 76
1	Q	Same thing?	1	Q You don't happen to know why this report starts at number
2	A	Notice of impoundment is the I don't recall if actually	2	forty, do you?
3		it's on the - No, it is the same thing. Impound card,	3	A I'm not quite sure if it maybe coincides with the other
4		it's basically the same thing.	4	report that you supplied me with, meaning that if you -
5		MS. JAMES: And, again, I would just like to	5	No, this doesn't. I'm not quite sure why,
6		state this for the record, and I'll bring it up to Jerry.	6	Q Oh, actually, I think there is one other source we can
7		We have also still not received the copies of the notice	7	confirm the number forty-four. Let me see what number
8		of impoundment or tow cards that were issued that evening,	8	this was marked as. Exhibit No. 5
9		and I think the officer's testimony confirms that it is	9	MS. HAMMOUD: The activity log.
10		within the control of the defendants, so I'll be renewing	10	BY MS, JAMES:
11		that request.	11	Q The vice squad activity log, under autos impounded, it
12	В	Y MS. JAMES;	12	lists forty-four. Do you see that?
13		To your knowledge, Officer, is it fair to say that	13	A Yes, I do.
14	~	everyone who drove to the CAID that evening, that their	14	Q So can we agree there were forty-four vehicles impounded?
15		car was seized and subject to abatement as far as you	15	A That's fair,
16		know?	16	Q Do you know, when a person's vehicle is seized and subject
1.7	Δ	That's fair.	17	· · · · · · · · · · · · · · · · · · ·
18		And is it your understanding that the law enforcement	18	to nuisance abatement, do you know what they have to do in
19	V	activities that occurred at this raid, as you understand	19	order to get their car back, if you know?
20		it, those activities conformed with the procedures of the	20	A I don't remember the process,
21		Detroit Police Department; is that fair?	21	Q Do you know whether or not a person has to pay a certain
22	٨	That's fair.	22	amount of money? Do you know anything about that?
23	0		23	A I believe they do have to pay over \$800 or something to
24	Ų	standard procedure of the police department and the city	i i	that effect.
25		that when raiding an establishment that was selling	24 25	Q And do you know where that money goes once a person pays it, if you know?
		that when faithig an establishment that was selling	145	
				19 11 300 111011
		Page 75		Page 77
1			1	
*****		Page 75	1 2	Page 77
1		Page 75 alcohol without a license or selling alcohol after two	l	Page 77  A Wayne County. I believe a portion goes to the City of
1 2	14 14 15	Page 75 alcohol without a license or selling alcohol after two a.m., to charge all persons in attendance either as an	2	Page 77  A Wayne County. I believe a portion goes to the City of Detroit.
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Tyrone Gray 10/25/2011

## 21 (Pages 78 to 81)

	Page 78		Pag	∋ 80
1	A Ordinance.	1	using narcotics or having a weapon or anything that we	ent
2	Q that authorizes it or a state law or something else?	2	beyond the loitering ticket, would you have recorded the	
3	A It's a City of Detroit ordinance.	3	somewhere, made a note of it in some way?	
4	Q Okay. And do you know either the title or the number of	4	A Well, if they were charged with something different, t	hey
5	that ordinance?	5	would receive a different charge instead of just the	•
6	A I don't recall the actual section number.	6	loitering tickets. If they were charged with being in	
7	Q Okay. But you're familiar with the fact that it is a City	7	possession of marijuana or smoking marijuana or doing	ž
8	of Detroit ordinance; is that fair?	8	anything like that, they would receive something separate	
9	A Fair,	9	or different than just the LIPIO ticket.	
10	Q Do you know whether or not that ordinance has been revised	10	Q So, in other words, if you had personally observed	
11	at all in the last few years?	11	anything of that nature, using or carrying narcotics, the	v
12	A I believe it has.	12	would have been charged	,
13	Q Okay. And what makes you think that it has? How do you	13	A Or guns.	
14	know that?	14	Q with an additional offense?	
15	A I thought I believe I have seen some documentation on	15	A Additional offense, yes.	
16	maybe a teletype of some sort from the department, but I	16	Q By virtue of the fact they have not been charged with	anv
17	don't recall what it is. I haven't written that ticket in	17	of those additional crimes, is it fair to say you didn't	
18	quite some time.	18	observe anything of that nature?	
19	Q I see. What's your understanding of how it has been	19	A That's correct.	
20	revised or changed?	20	Q All right. During your employment with the Detroit F	olice
21	A As I stated, I don't recall at this time -	21	Department, have you ever been suspended or discipling	
22	Q Okay.	22	for any reason?	
23	A the differential of how it has changed.	23	A I have.	
24	Q All right. I'll take Exhibit 7 back from you.	24	Q Okay. And can you tell me when that occurred?	
25	I believe you testified before that you	25	MS. HAMMOUD: I'll just place an objection as	to
	D 70		-	——————————————————————————————————————
	Page 79	<u>.</u>	Page	——————————————————————————————————————
1	transferred from vice enforcement to homicide sometime in	1	-	——————————————————————————————————————
2	transferred from vice enforcement to homicide sometime in 2009; is that correct?	2	Page improper character evidence. It's not relevant and more prejudicial than probative, but you can answer.	——————————————————————————————————————
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# Tyrone Gray 10/25/2011

## 22 (Pages 82 to 85)

	· <b>5</b>	1	·
	Page 82		Page 84
1	motion that the deliberative process doesn't apply to 1983	1	A Correct. And my commanding officer.
2	cases. So, to that end, is there any other thing you	2	Q I see. And was that a single instance of counseling, or
3	would like to place on the record?	3	did you have to counsel with them over a period of time?
4	MS. HAMMOUD: No. Like I said, I have no	4	A No. Counsel with her over a period of time I'm sorry.
5	objection to him testifying to any of the discipline or	5	Counsel over that incident, and there was another
6	brief synopsis of the facts behind the incident, but as to	6	incident, but it involved her taking my duty weapon and my
7	why he was disciplined, I'm maintaining that that is	7	magazines and
8	privileged information and instructing him not to answer.	8	Q When you say "her," are you referring to
9	MS. JAMES: Okay. I will try to formulate some	9	A My ex-wife, yes. We were going through a divorce at that
10	questions that will narrow in on the facts.	10	time.
11	MS. HAMMOUD: Okay.	11	Q I see. Okay.
12	BY MS. JAMES;	12	A And she had taken my duty weapon, and I received a written
13	Q So for the disciplinary action in 1998, as you understand	13	reprimand for that from my commanding officer, and then we
14	it, did that disciplinary action result from a complaint	14	were divorced,
15	against you that arose from outside of the department or	1.5	Q Okay. And the written reprimand over the taking of your
16	from an internal investigation that was initiated within	16	duty weapon, was that also in 1998?
17	the department? Do you understand the question?	17	A Yes, All at the same time.
18	A It was outside of the department.	18	Q Okay. Any other instances of disciplinary action or
19	Q Okay. And do you know who made the complaint against you?	19	suspensions?
20	A It would be my ex-wife,	20	A I don't recall the disciplinary actions. I do recall
21	Q And do you know what you were accused of doing or what	21	being suspended in 2009.
22	activity was complained of?	22	Q Okay.
23	A The activity where I was disciplined	23	A I believe that was the year.
24	MS. HAMMOUD: What did she accuse you of?	24	Q And have you only been suspended one time, or has there
25	THE WITNESS: It was an argument. She accused	25	been more than one time?
	Page 83		Page 85
1	me of pushing her.	1	<del>-</del>
2	BY MS. JAMES:	2	A Well, this was the first time. Just one time, yes.  Q Okay. Only one time, sometime in 2009?
3	Q Okay.	3	Q Okay. Only one time, sometime in 2009?  A Correct,
4	A There were I'm sorry.	<del>-</del> 4	Q Okay. And did that suspension occur as the result of a
5	Q You can finish what you were going to say.	5	complaint that was made against you, if you know?
6	A There wasn't any report made or anything like that. That	6	A It wasn't through a complaint that was made against me.
7	was a direct route direct contact to my commanding	7	It was
8	officer at the time, and that would be Commander Judy	8	Q Okay. So is it fair to say that it occurred as the result
. 9	Dowling.	9	of an internal matter that arose within the department?
10	Q And you have already stated that you were ultimately	10	A That is correct,
1.1	disciplined. Can you tell me what the nature of that	11	Q Okay. And what was the nature of what the department was
12		12	investigating you for?
13	A Counseling.	13	A Following an illegal order.
14	MS. HAMMOUD: Counsel, I'm sorry. Can I have a	14	Q Okay, What was the illegal order?
15	standing objection as to the relevance, more prejudicial	15	A That order was involving paperwork, documents.
16	than probative and improper character evidence?	16	Q I'm not sure what that means. You were ordered to do
17	MS. JAMES: Absolutely,	17	something which you ultimately did?
18	BY MS. JAMES:	18	A Correct,
19	Q How long did you have to go to counseling?	19	Q What were you ordered to do?
20	A It wasn't counseling like that. It was in-house	20	MS. HAMMOUD: Excuse me just one minute. Can we
		21	take just a short break, please? I would like to ask him
21	counseling with my supervision.		
21 22	counseling with my supervision.  Q Oh, I see. So this wasn't counseling with a therapist?	22	
	counseling with my supervision.  Q Oh, I see. So this wasn't counseling with a therapist?  A No.		one question before I allow him to testify about that,
22	Q Oh, I see. So this wasn't counseling with a therapist?  A No.	22	one question before I allow him to testify about that.  MS. JAMES: Okay.
22 23	Q Oh, I see. So this wasn't counseling with a therapist?  A No.	22 23	one question before I allow him to testify about that,

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Tyrone Gray 10/25/2011

23 (Pages 86 to 89)

	Page 86	Page 88
1	read back the last question?	1 MS. HAMMOUD: Let me clarify. I think you're
2	MS. HAMMOUD: I'm sorry.	and I could be mistaken, but understanding your question,
3	MS. JAMES: Or do you need to place something on	3 I think you're presuming it to be a search?
4	the record?	4 MS. JAMES: No, not necessarily.
5	MS. HAMMOUD: No. I just wanted to clarify one	5 MS. HAMMOUD: Okay.
6	thing with him,	6 BY MS, JAMES:
7	MS. JAMES: Do you want the court reporter to	7 Q We can get to that, but right now I'm just asking about
8	read back?	8 what was the difference in the location? Was it just a
9	THE WITNESS: Yes, you can read it back.	9 different address on the same street? Was it a different
10	(WHEREUPON, the Reporter read back	10 place altogether?
11	the last question.)	11 A Yes, I can answer that. It was a different place
12	THE WITNESS: Ordered to put a location which	12 altogether.
13	was separate than the actual incident location on a	13 Q Okay.
14	report.	14 A It was not a blind pig.
15	BY MS. JAMES:	15 Q And was it a location that was to I guess what kind of
16	Q I see. Okay. And who ordered you to do that?	a report was it? Was it just a CRISNET report?
17	A That would be Sergeant Charles Turner.	17 A It was a CRISNET report.
1.8	Q Do you know how it was discovered that the wrong location	18 Q So it wasn't in a warrant affidavit or anything like that?
19	had been reported?	19 A No, no.
20	A Yes, I do know how it was discovered. That would be	20 Q And to your knowledge, was there ever a search that was
21	Sergeant Daniel Buglo advised our commanding officer at	conducted at the wrong location as a result of this?
22	the time, Vicki Yost, of the location being different.	22 A No.
23	Q Okay. Did Sergeant Turner tell you why he was ordering	23 Q All right. And do you recall how long you were suspended
24	you to record the wrong location?	24 for?
2.5	A He did not.	25 A I was suspended with pay for a couple of weeks.
	Page 87	Page 89
1	Page 87  Q Well, I guess let's skip to the end for a moment, and I	
1 2	ū	
	Q Well, I guess let's skip to the end for a moment, and I	1 Q And to your knowledge, was Sergeant Turner also suspended,
2	Q Well, I guess let's skip to the end for a moment, and I might back up. When were you given that order, and when	1 Q And to your knowledge, was Sergeant Turner also suspended, 2 if you know?
3	Q Well, I guess let's skip to the end for a moment, and I might back up. When were you given that order, and when was the report written; do you recall?	1 Q And to your knowledge, was Sergeant Turner also suspended, 2 if you know? 3 A Yes.
2 3 4	Q Well, I guess let's skip to the end for a moment, and I might back up. When were you given that order, and when was the report written; do you recall?  A I believe in 2009. I don't remember the actual date.	1 Q And to your knowledge, was Sergeant Turner also suspended, 2 if you know? 3 A Yes. 4 Q Was there any other officers who were suspended or
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Tyrone Gray 10/25/2011

#### 24 (Pages 90 to 93)

	21 (14.90)	, , ,	00 357
	Page 90		Page 92
1	it all have to do with this incorrect location?	1	MS. HAMMOUD: Yeah, you said a different number.
2	A That's fair.	2	MS. JAMES: I'm sorry, I misspoke.
3	Q Okay. So have we covered all suspensions and disciplinary	3	MS. HAMMOUD: I was looking for it, too.
4	actions that you can think of?	4	MS. JAMES: I'm sorry, I apologize.
5	A Yes,	5	BY MS. JAMES:
6	Q To your knowledge, have there ever been any citizen	6	Q There are about five notations here, demeanor, procedure,
7	complaints lodged against you?	7	demeanor, force, arrest, and I'm interested in the top two
8	MS. HAMMOUD: Continuing objection as to	8	where it says, "Demeanor - Improper Conduct" and
9	relevance, more prejudicial than probative, improper	9	"Procedure - Improper Conduct." Do you recall, now that
10	character evidence,	10	you have seen this I realize it's not terribly
11	THE WITNESS: Yes.	11	informative, but do you recall there being a complaint
12	BY MS. JAMES:	12	against you? I believe the number at the beginning, the
13	Q Do you know approximately how many?	13	BPC number 02 signifies that it was initiated in the year
14	A I do not.	14	2002. So do you recall, in the year 2002, there being a
15	Q To your knowledge, have any of those complaints been	15	complaint against you when you worked at the 6th Precinct?
16	sustained?	16	A I don't remember any of these, ma'am.
17	A I don't recall,	17	Q There's also a notation here that this file was closed
18	Q Other than what we have already talked about, do you	18	January 11th, 2005. Do you recall sometime around that
19	recall ever having been disciplined or retrained or warned	19	time period whether you were notified of having engaged in
20	as the result of a complaint that was made against you?	20	any improper conduct?
21	MS. HAMMOUD: Object to the form of the	21	A I don't recall.
22	question.	22	Q Okay. And is it also fair to say that you don't recall
23	THE WITNESS: I don't recall.	23	being disciplined or any formal warning at that time?
24	BY MS. JAMES:	24	A That's correct.
25	Q Okay. And I'm asking formally, has there been a formal	25	O Okay. And just to complete the record, is it also fair to
	Q Olay. The Thi asiang terminary, has there seem a terminar	<u> </u>	Q Okay. And just to complete the record, is it also fair to
	Page 91		Page 93
1	Page 91	1	Page 93
1 2			Page 93 say that you didn't receive any retraining at that time
	Page 91 discipline or a formal warning, just to clarify my	1	Page 93
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2 3 —4—	Page 91 discipline or a formal warning, just to clarify my question? Do you recall ever receiving anything like that?  A No, ma'ain.	1 2 3	Page 93 say that you didn't receive any retraining at that time that you recall? A That's correct.  Q And then I also want to ask, similarly, toward the bottom
2 3 4 5	Page 91 discipline or a formal warning, just to clarify my question? Do you recall ever receiving anything like that?  A No, ma'am.  Q All right. I'm going to hand you what is being marked as	1 2 3 4	Page 93 say that you didn't receive any retraining at that time that you recall? A That's correct. Q And then I also want to ask, similarly, toward the bottom of that page there's a BPC number 99-0841, CCR number
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25 (Pages 94 to 97)

	25 (Pages	94	to 97)
	Page 94		Page 96
1	file,	1	arrest, to your knowledge, have any of those accusations
2	BY MS. JAMES:	2	included an accusation that someone was arrested without
3	Q Okay. We're on our very last subject here. I'll take	3	probable cause? Do you recall whether that has been
4	this back from you.	4	A Of the lawsuits?
5	To your knowledge, other than the lawsuit that	5	Q Yeah.
6	brings us here today, have any lawsuits been filed against	6	A Accusations were there, yes.
7	you regarding your actions while on duty or in your	7	Q Okay. Do you recall the outcome of any of these lawsuits?
8	capacity as a police officer with the Detroit Police	8	A Yes. Fabio Perez, I believe the jury found us responsible
9	Department?	9	- myself and my partner responsible for his injuries he
10	MS. HAMMOUD: Let me object as to relevance,	10	sustained.
11	more prejudicial than probative, and seeks improper	11	Q Who was your partner?
12	character evidence,	12	A Yes, my partner.
13	MS. JAMES: And I'll offer you a continuing	13	Q Who was that?
14	objection for my follow-ups.	14	A Jack Lengyel. L-E-N-G-Y-E-L, first name Jack.
1.5	MS. HAMMOUD: Thank you.	15	Q L-E-N-G-Y-E-L?
16	THE WITNESS: Yes,	16	A Correct.
1.7	BY MS. JAMES:	17	Q Okay. And your memory is that case went to trial, and
18	Q Do you know how many times?	18	there was a jury verdict in the plaintiff's favor; is that
19	A I don't recall how many times.	19	fair?
20	Q More than five times that you know of?	20	A That's fair.
21	A More than five times	21	Q Do you remember the outcome of any other lawsuits against
22	Q That you have been sued other than the lawsuit that brings	22	you that you can recall?
23	us here today.	23	A Yes. I believe one was settled prior to going to trial,
24	A I believe there have been more than five times that I have	24	and there's one right now pending. It's still in the
25	been or associated with others in lawsuits.	25	
45	been of associated with others in lawsuits.	45	deposition stages,
			deposition stages.
	Page 95		Page 97
1	Page 95  Q As you sit here today, can you recall any of the	1	Page 97  Q The one that settled prior to trial, do you remember the
1 2	Page 95  Q As you sit here today, can you recall any of the accusations that have been made against you in any of	1 2	Page 97  Q The one that settled prior to trial, do you remember the nature of the accusation in that case?
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10/25/2011

26 (Pages 98 to 101)

	20 (14905	, , ,	CO 101/
	Page 98		Page 100
1	Q All right. And do you happen to know that plaintiff's	1	And the first question I'll ask you, and you can
2	name?	2	answer whenever you're ready, is whether this Complaint,
3	A Yes.	3	whether or not you think this might be the one we talked
4	Q What's their name?	4	•
5	A Tomika Miles.		about earlier that settled prior to trial?
6		5	A I don't recall. I don't believe so.
7	Q Do you know whether that case is in Wayne County Circuit Court or whether it's in federal court?	6	Q Now that you have had an opportunity to review this
	A No. It's nowhere. It's neither of those courtrooms.	7	Complaint, do you, as you sit here, do you have any
8		8	recollection about this case, either the underlying
9	It's still in the deposition phases. Oh, I'm sorry. I	9	incident itself or the lawsuit?
10	don't know,	10	A I do not.
11	Q You don't know?	11	Q So is it fair to say you don't know whether or not this
12	A I don't know.	12	case has been concluded or whether it's still pending?
13	Q All right. Do you have any Have you been served with a	13	A I do not.
14	complaint in that case?	14	Q Okay. I'll take that back, and I am going to ask you the
15	A Yes,	15	same questions about this last document here which will be
16	Q Okay. Do you have a copy of it, not available to us right	16	marked as No. 10.
17	this second but available to you either through your	17	(WHEREUPON, Deposition Exhibit 10
18	office, or do you have a copy at home?	18	was marked for identification.)
19	A I don't believe I have a copy at home.	19	BY MS. JAMES:
20	Q Who is representing you on that case?	20	Q Oh, I'm sorry. I thought you would still be reading this.
21	A That would be Miss Mills.	21	So my first question is: Have you had a chance to look
22	Q Jane Mills?	22	briefly at this Complaint?
23	A Yes.	23	A Very briefly.
24	MS. JAMES: And just for the record, I'd ask	24	Q Okay. Having reviewed it briefly, do you have any
25	that defendants provide us with a caption or case number	25	recollection of either the underlying incident or the
			1000 mornion of ordinor the united tyling mordinate of the
		<u> </u>	
	Page 99		Page 101
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2	Page 99 for the Tomika Miles case. MS. HAMMOUD: You can send a request and have	2	Page 101 lawsuit to which this Complaint refers? A I do.
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27 (Pages 102 to 105)

		27 (Lages	102	-	
		Page 102			Page 104
1	Ç	And what was the outcome of the internal investigation?	1		investigations within the Detroit Police Department of you
2	Ì	MS. HAMMOUD: I object to the deliberative	2		that have resulted from any lawsuits that were filed
3		process privilege and foundation.	3		against you that you know of?
4	В	Y MS. JAMES:	4	Α	No, I do not.
5	Ç	I'm asking if you know whether or not there was a what	5	0	
6		the ultimate disposition was, whether you were found to	6		as the result of the conduct that you were accused of in
7		have acted properly, or was there a finding of improper	7		any of these lawsuits?
8		conduct?	8	Α	
9		MS. HAMMOUD: Again, let me object to	9	Q	Okay. And, again, just to complete the record, I know it
10		foundation. There's absolutely no testimony here that he	10	-	seems tedious, but is it also fair to say that you have
11		was the subject of the internal affairs investigation into	11		never been either formally or informally warned as a
12		this matter.	12		result of any of these lawsuits?
13		MS. JAMES: Okay. We can back up and ask that	13	Α	No.
14		question then. That's fair.	14	Q	And is it also fair to say that you have never received
15	В	Y MS. JAMES:	15		any retraining as the result of any of these lawsuits?
16	Q	You testified that there was an internal investigation	16	A	No.
17		regarding this underlying incident?	17		MS. JAMES: Let me consult with my co-counsel
18		MS. HAMMOUD: And specifically we're talking	18		for a second, and then I think we're very close to the
19		about the Eaton and Topp incident?	19		end.
20		MS. JAMES: Correct,	20		(Discussion off the record.)
21	В	Y MS. JAMES:	21	BY	/ MS. JAMES:
22	Q	•	22	Q	Can we go back on the record and clarify those last two
23	A	No, I was not.	23		questions? My co-counsel makes a good point. I think we
24	Q	2 ,	24		were both understanding each other, and yet the record may
25 		the subject of that internal investigation, if you know?	25		be unclear. I asked you whether it was fair to say that
		Page 103			Page 105
1	A		1		
1 2		I believe it was Officer Shamar Woods and Monica Evans.	1 2		you had not been disciplined or warned or retrained as a
	A Q	I believe it was Officer Shamar Woods and Monica Evans. And do you have any knowledge regarding the ultimate	2		you had not been disciplined or warned or retrained as a result of any of these lawsuits to which each of those
2	Q	I believe it was Officer Shamar Woods and Monica Evans.	2		you had not been disciplined or warned or retrained as a result of any of these lawsuits to which each of those questions you answered no, meaning, no, you have not been
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3	Q	I believe it was Officer Shamar Woods and Monica Evans. And do you have any knowledge regarding the ultimate conclusion or disposition of the investigation of Officers  Woods and Evans?  I do not know the exact of what took place as far as	2 3	11. · · ·	you had not been disciplined or warned or retrained as a result of any of these lawsuits to which each of those questions you answered no, meaning, no, you have not been disciplined or warned or retrained; is that correct?  That is correct.
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3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A Q A	I believe it was Officer Shamar Woods and Monica Evans. And do you have any knowledge regarding the ultimate conclusion or disposition of the investigation of Officers Woods and Evans?  I do not know the exact of what took place as far as investigation is concerned involving those two.  Do you know whether they were disciplined or suspended? I don't believe so.  Do you recall ever having an investigation initiated regarding you and your conduct as the result of any of the lawsuits that have been filed against you that you know of?  Yes. I believe I have indicated those ones you asked me about earlier.  I'm sorry. You're going to have to be more specific.  Which lawsuits have resulted in an internal investigation of you?  Oh, is that what you're asking, internal investigations?  Yes.  I thought you were asking me as being the focus of the situation.  No.	2 3 -4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A	you had not been disciplined or warned or retrained as a result of any of these lawsuits to which each of those questions you answered no, meaning, no, you have not been disciplined or warned or retrained; is that correct?  That is correct.  MS. JAMES: Okay. Thank you. Thank you for that. Give us just one minute.  (Discussion off the record.)  MS. JAMES: We are done for our part.  MS. HAMMOUD: 1 have no questions.
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## 2:10-cv-10675-VAR-MKM Doc # 84-26 Filed 04/17/12 Pg 29 of 29 Pg ID 2198

Tyrone Gray 10/25/2011

28 (Page 106)

Page 106

1		1
2	STATE OF MICHIGAN)	
3	) ss. COUNTY OF OAKLAND)	
4	COOKE I OF OVERVIDE	
	I, Denise Moorfoot, a Notary Public in and for	
5	•	Ì
6	the above county and state, do hereby certify that the	
•	witness, whose attached deposition was taken before me in	Ì
7	Williams and a character achoration was taken before the in	
	the entitled cause on the date and the time and place	
8	5 11 0: 10 d	l
9	hereinbefore set forth, was by me first duly sworn to	ı
_	testify to the truth, the whole truth and nothing but the	l
10		-
	truth; that the testimony contained in said deposition was	İ
11	by the reduced to multiple in the annual of the total	l
12	by me reduced to writing in the presence of said witness	ļ
	by means of stenography; that said testimony was	ĺ
13	,	l
14	thereafter reduced to written form by mechanical means;	l
1.4	and that the deposition is, to the best of my knowledge	l
15	and and appointed by to the ocet of thy knowledge	
	and belief, a true and correct transcript of my	l
16		
17	stenographic notes so taken.	ŀ
	I further certify that I am not of counsel to	
18		l
	either party nor interested in the event of this can	
19 20	Kaual Moskool 1	ĺ
20	Denise Moorfoot	
21	Notary Public, Oakland County	i
_	Acting in the County of Wayne	
22	My commission expires: 10-30-11	
D 2	-	

# EXHIBIT 26

## Charles Turner 1/13/2012

Page 1 1 IN THE DISTRICT COURT OF THE UNITED STATES 2 FOR THE EASTERN DISTRICT OF MICHIGAN 3 SOUTHERN DIVISION 5 IAN MOBLEY, KIMBERLY MOBLEY, 6 PAUL KAISER, ANGIE WONG, 7 JAMES WASHINGTON, NATHANIEL 8 PRICE, JEROME PRICE, STEPHANIE 9 HOLLANDER, JASON LEVERETT-SAUNDERS 10 WANDA LEVERETTE, DARLENE HELLENSBERG, THOMAS MAHLER 11 12 and LAURA MAHLER, 13 Plainti 14 vs. No. 10-cv-10675 Hon. Victoria A. Robert 16 Mag. Judge Mona K. Majzoub DETROIT, a municipal 17 corporation LIEUTENANT VICKI 18 YOST, a Detroit police officer, 19 20 in her individual capacity, 21 SERGEANT DANIEL BUGLO, a Detroit police officer, in his individual 22 23 capacity, SERGEANT G. MCWHORTER, a Detroit police officer, in 24 25 his/her individual capacity,

## 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 3 of 23 Pg ID 2201

# Charles Turner 1/13/2012

	2 (Page:	₃ 2	to 5)
	Page 2		Page 4
1	SERGEANT A. POTTS, a Detroit	1	APPEARANCES:
2	police officer, in his/her	2	
3	individual capacity, SERGEANT	3	MR. WILLIAM H. GOODMAN P14173
4	CHARLES TURNER, a Detroit police	4	MS. KATHRYN BRUNER JAMES P71374
5	officer, in his individual capacity,	5	Goodman & Hurwitz, P.C.
6	OFFICER M. BROWN, a Detroit police	6	1394 East Jefferson Avenue
7	officer, in his/her individual	7	Detroit, Michigan 48207
8	capacity, OFFICER B. COLE, a Detroit	8	(313) 567-6170
9	police officer, in his/her individual	9	mail@goodmanhurwitz.com
10	capacity, OFFICER TYRONE GRAY, a	10	Co-Counsel Appearing on behalf of the Plaintiffs.
11	Detroit police officer, in his	11 12	
12 13	individual capacity, OFFICER SHERON JOHNSON, a Detroit police officer, in	13	MR. JERRY ASHFORD P47402
14	her individual capacity, OFFICER K.	14	City of Detroit Law Department
1.5	SINGLETON, a Detroit police officer,	15	660 Woodward Avenue
16	in his/her individual capacity, and	16	1650 First National Building
17	UNNAMED DETROIT POLICE OFFICERS, in	17	Detroit, Michigan 48226
18	their individual capacities,	18	(313) 237-3089
19	Defendants.	19	ashfj@detroitmi.gov
20	/	20	Appearing on behalf of the Defendants.
21	PAGE 1 TO 82	21	
22		22	
23	The Deposition of CHARLES TURNER,	23	
24	Taken by Videoconference at	24	·
25	7072 Novilla 40th Cityant Crista 0		
25	2823 North 48th Street, Suite 8,	25	
	Page 3		Page 5
1			Page 5 APPEARANCES: (Continued)
	Page 3		APPEARANCES: (Continued)
1	Page 3 Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60	1 2 3	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842
1 2 3 4	Page 3 Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan,	1 2 3	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)
1 2 3 4 5	Page 3 Phoenix, Arizona, with Attorneys and Court Reporter at 400.Renaissance Center, Suite 21.60. Detroit, Michigan, Commencing at 2:55 p.m.,	1 2 3 4 5	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan
1 2 3 4 5 6	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue
1 2 3 4 5 6	Page 3 Phoenix, Arizona, with Attorneys and Court Reporter at 400.Renaissance Center, Suite 21.60. Detroit, Michigan, Commencing at 2:55 p.m.,	1 2 3 4 5 6	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201
1 2 3 4 5 6 7 8	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201  (313) 578-6824
1 2 3 4 5 6 7 8 9	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org
1 2 3 4 5 6 7 8 9	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201  (313) 578-6824
1 2 3 4 5 6 7 8 9 10	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201  (313) 578-6824  dkorobkin@aclumich.org  Appearing on behalf of the Plaintiffs.
1 2 3 4 5 6 7 8 9 10 11 12	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org
1 2 3 4 5 6 7 8 9 10	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201  (313) 578-6824  dkorobkin@aclumich.org  Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168
1 2 3 4 5 6 7 8 9 10 11 12 13	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org  Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue
1 2 3 4 5 6 7 8 9 10 11 12 13 14	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201  (313) 578-6824  dkorobkin@aclumich.org  Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168  (NOT PRESENT)  City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT) American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building Detroit, Michigan 48226
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT) American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building Detroit, Michigan 48226 (313) 237-3035
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org    Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building Detroit, Michigan 48226 (313) 237-3035 basel@detroitmi.gov
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT) American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building Detroit, Michigan 48226 (313) 237-3035 basel@detroitmi.gov Appearing on behalf of the Defendants Yost and Buglo
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org  Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building  Detroit, Michigan 48226 (313) 237-3035 basel@detroitmi.gov  Appearing on behalf of the Defendants Yost and Buglo only.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT) American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building Detroit, Michigan 48226 (313) 237-3035 basel@detroitmi.gov Appearing on behalf of the Defendants Yost and Buglo
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 3  Phoenix, Arizona, with Attorneys and Court Reporter at 400 Renaissance Center, Suite 21.60 Detroit, Michigan, Commencing at 2:55 p.m., Friday, January 13, 2012,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	APPEARANCES: (Continued)  MR. DANIEL S. KOROBKIN P72842  (NOT PRESENT)  American Civil Liberties Union Fund of Michigan 2966 Woodward Avenue  Detroit, Michigan 48201 (313) 578-6824 dkorobkin@aclumich.org  Appearing on behalf of the Plaintiffs.  LEE'AH D.B. GIAQUINTO P60168 (NOT PRESENT) City of Detroit Law Department Litigation Section 660 Woodward Avenue 1650 First National Building  Detroit, Michigan 48226 (313) 237-3035 basel@detroitmi.gov  Appearing on behalf of the Defendants Yost and Buglo only.

## 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 4 of 23 Pg ID 2202

# Charles Turner 1/13/2012

3 (Pages 6 to 9)

	•	ŀ		,
	Page 6			Page 8
1	TABLE OF CONTENTS	1		before, Mr. Turner?
2	CHARLES TURNER Page	2	A.	
3	EXAMINATION BY MR. GOODMAN: 7	3	Q.	
4	, , ,	4	A.	· · · · · · · · · · · · · · · · · · ·
5		5		No, not on this case, but I mean in general. I'm just
6	INDEX TO EXHIBITS	6		asking if you know the general ground rules, what
7	(Exhibits attached to transcript)	7		happens at a deposition?
. 8	` ',	8	A.	
9	Exhibit Page	9	Q.	
10	DEPOSITION EXHIBITS 1 THROUGH 9 7	10	`	connection with this deposition today. Number one, as
11	Third Notice of Taking Videoconference	11		I said, I will be asking you some questions and I'll
12	Deposition	12		expect you to answer those questions. If there's
13	Raid Execution/Blind Pig	1.3		anything that you don't hear, that you don't understand
1.4	Anticipatory Search Warrant	14		or that you want repeated, please ask me and I will
15	DPD Activity Log	15		either repeat the question, clarify it or rephrase it.
1.6	DPD Crime Report	16		Do you understand that?
17	DPD Crime Report	17	A.	
18	Officer Information Report	18	Q.	And as you are doing, it's important that you answer
19	Citizen Complaint Report	19		the questions verbally rather than just shaking your
20	Inter-Office Memorandum	20		head or saying uh-huh or um-hmm because it's harder for
21		21		the court reporter to write it down and get an accurate
22	: -	22		transcript. Do you understand that as well?
23		23	Α,	
24	•	24	Q.	
25		25		represented here today by counsel, Mr. Ashford; is that
	Page 7			Page 9
1	Page 7 Detroit, Michigan and Phoenix, Arizona	1		Page 9 correct, sir?
1 2	$\overline{\epsilon}$	1 2	A.	
	Detroit, Michigan and Phoenix, Arizona Friday, January 13, 2012 About 2:55 p.m.		A. Q.	correct, sir? Correct.
2	Detroit, Michigan and Phoenix, Arizona Friday, January 13, 2012 About 2:55 p.m. CHARLES TURNER,	2	Q.	correct, sir? Correct.
2 3	Detroit, Michigan and Phoenix, Arizona Friday, January 13, 2012 About 2:55 p.m.	2	Q.	correct, sir?  Correct.  And Mr. Ashford may object to some of my questions from
2 3 4	Detroit, Michigan and Phoenix, Arizona Friday, January 13, 2012 About 2:55 p.m. CHARLES TURNER,	2 3 4	Q.	correct, sir?  Correct.  And Mr. Ashford may object to some of my questions from time to time and if and when he does, I want you not to
2 3 4 5	Detroit, Michigan and Phoenix, Arizona Friday, January 13, 2012 About 2:55 p.m.  CHARLES TURNER, having first been duly sworn, was examined and testified on	2 3 4 5	Q.	correct, sir?  Correct.  And Mr. Ashford may object to some of my questions from time to time and if and when he does, I want you not to answer your question, hold back and wait until he's
2 3 4 5 6	Detroit, Michigan and Phoenix, Arizona Friday, January 13, 2012 About 2:55 p.m.  CHARLES TURNER, having first been duly sworn, was examined and testified on his oath as follows:	2 3 4 5 6	Q.	correct, sir?  Correct.  And Mr. Ashford may object to some of my questions from time to time and if and when he does, I want you not to answer your question, hold back and wait until he's done with his objection and then in all likelihood, you
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## 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 5 of 23 Pg ID 2203

# Charles Turner 1/13/2012

#### 4 (Pages 10 to 13)

		Page 10			Page 12
1		what did you review today before you had testified,	1		Detroit police officer or a supervisor?
2		before you sat down to testify?	2		I have none.
3	A.	Not much, just the PCR and run sheet.	3	Q.	Okay. All right. Let me have a little bit of
4	Q.	When you say the	4		background if I may. You at one time, you were a
5	À.	And the affidavit for the raid. That's about it,	5		Detroit police officer and then a Detroit police
6	Q.		6		sergeant; is that correct?
7		warrant affidavit; is that right?	7		Correct.
8	Á.	Yes, I skimmed through it, correct.	8	O.	When did you start work with the Detroit Police
9	Q,		9	`	Department?
10		report?	10		July 29th, 1985.
1 <b>1</b>	A.	That is correct.	11	Q.	And when did you end your service with the Detroit
12	O.		12		Police Department?
13		activity log?	13		April of 2010.
1.4	A.	That is correct,	14	Q.	And why did you leave the department, Mr. Turner?
15	Q.	Okay. We're going to look at all of those documents	15	À.	I retired.
16		and I'm glad that you've had a chance to look at them	16	Q.	Were you suspended?
17		because it will make things move along a little bit	17	À.	Yes.
18		better here. But let me get some let's start with	18	Q.	At the time that you left?
19		the Notice of Deposition which has been marked Turner	19	À.	Yes.
20		Exhibit No. 1 here. Do you have that in front of you,	20	Q.	Were you permanently suspended? Temporarily suspended?
21		sir, what's called the Notice of Deposition? And I'm	21	•	What were the terms of your suspension?
22		going to pull it up on the screen. Look at the screen	22	A.	At that point, I was temporarily at that point.
23		and it will help you identify the exhibit.	23	Q.	And what were you suspended for?
24	A.	Okay. I'm waiting. I don't see it.	24	-	I was suspended for I was brought up on charges for
25	Q.	l don't either. All right. We'll get by without it.	25		falsifying documents.
	-		Į		
		Page 11			Page 13
1		Page 11 All right Well let's move on Mr Turner and see	1	0	Page 1.3  Is it correct that you ordered Police Officer Gray to
1 2 .		All right. Well, let's move on, Mr. Turner, and see	1 2	Q.	Is it correct that you ordered Police Officer Gray to
1 2 .	Α.	All right. Well, let's move on, Mr. Turner, and see how we can do without this. Okay?	2	Q.	Is it correct that you ordered Police Officer Gray to put a location on a document which was not the actual
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# Charles Turner 1/13/2012

## 5 (Pages 14 to 17)

	Page 14		Page 16
			•
1	you understand, Mr. Turner?	1	A. 7-15-1963.
2	A. Yes.	2	Q. You have a – you received a high school diploma; is
3	Q. Is that your understanding of the charges against you	3	that correct, sir?
4	at that time?	4	A. That's correct.
5	A. That's correct.	5	Q. In Detroit?
6	Q. Did you ever appeal the suspension?	6	A. Yes.
7	A. No.	7	Q. What high school?  A. Redford.
8	Q. Did you ever file a grievance based upon the fact that	8	
9	you were suspended?  A. No.	9 10	<ul><li>Q. And have you had any post-high school education?</li><li>A. Yes.</li></ul>
10		11	·
11		1	
12	connection with these charges?  A. Yes.	12 13	
1.3		14	Q. Okay, And did you receive a degree from Wayne County Community College?
14 15	Q. And that would have been the Sergeants & Lieutenants Association?	15	A. No, I did not.
		16	
16		17	Q. Before going to work for the Detroit Police Department in 1985, had you had any law enforcement experience?
17	and the second of the second o		A. No.
18		18	
19		19	Q. Did you receive training at the Detroit Police Academy before you started your official duties as a Detroit
20	the charges or the suspension going away in any way?  A. No.	20 21	
21	·	22	police officer?  A. Yes.
22	Q. Okay. Along with you, other officers were suspended; is that correct, sir?	23	
23	·		
24	A. That's correct.	24	
25	Q. Officer Tyrone Gray, Officer Sheron Johnson, Officer	25	Q. What were your assignments well, withdraw that
	Page 15		Page 17
1	Page 15 Balogun, Officer Hall and Officer Petro Williams; is	1	Page 17 question.
1 2	<u> </u>	1 2	_
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# Charles Turner 1/13/2012

## 6 (Pages 18 to 21)

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	Page 18		Page 20
1	Q. And how long did you work for the special assignment	1 C	). Can you describe, if you will, Mr. Turner, the
2	task force doing vice enforcement activity?	2	differences in your responsibilities while you were at
3	A. It it changed the name to vice, so we were formally	3	vice enforcement, the differences between being a
4	vice after maybe a year or a year and a half.	4	police officer working vice and a sergeant working
5	Q. Okay. And you stayed with them then as a police	5	vice? What were the different duties and
6	officer for a number of years?	6	responsibilities if you could?
7	A. That's correct.	7 A	Well, the only difference was basically paperwork and
8	Q. And who was the commander or who were the commanders of	8	supervising officers. I mean basically I did
9	that unit while you were there?	9	everything the officers did.
10	A. During that time, I can't I can't recall. We kept	10 Q	You mean as a sergeant, you did everything the officers
11	switching commanders and supervision, I can't recall.	11	did, plus the paperwork and telling other -
12	Q. Okay. While you were a police officer before you	12 A	. Correct. If need be, if need be, I did what the
13	became a sergeant, did you have an opportunity to work	13	officers did.
14	with Vicki Yost at the vice enforcement unit?	14 Q	). Okay. And when you say supervising, that would be
15	A, No,	15	really a process of telling officers what to do and
16	Q. Did you have an opportunity to work with Sergeant	16	sometimes telling them what not to do; is that correct,
17	Buglo, Daniel Buglo?	17	sir?
18	A. No.	18 A	Guiding them on what to do, correct.
19	Q. Okay. When did you when were you promoted to being	19 Q	Yes. Which required you as a supervisor to be
20	a sergeant? By my calculation, it would be 2002. Is	20	conscious and aware of what was going on around you and
21	that about right?	21	what your officers who you were guiding were doing; is
22	A. No. I believe it was 2004 or no, 2004 or 2006, one	22	that correct, sir?
23	or the other. I'm not quite	23 A	. I would say yes.
24	Q. Okay. And at the time that you were promoted to	24 Q	Okay. When you became a sergeant and were assigned to
25	sergeant, were you still as a police officer working	25	vice enforcement, did you receive any particular
	Page 19		Page 21
	Page 19	1	Page 21
1	for vice enforcement?	1 2	training at vice enforcement with regard to the
2	for vice enforcement? A. Yes.	2	training at vice enforcement with regard to the operations of vice enforcement as a sergeant?
2	for vice enforcement?  A. Yes.  Q. And then once you became a sergeant, did you continue	2 3 A	training at vice enforcement with regard to the operations of vice enforcement as a sergeant?  L I was basically familiar with the supervision work
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# Charles Turner 1/13/2012

## 7 (Pages 22 to 25)

		/ (rages		CO	25)
		Page 22			Page 24
1	A.	Would it be paperciipped or anything else or oh,	1	A.	Yes.
2		okay. Here we go. I have it.	2	Q.	Over the years, approximately how many such raids did
3	Q.	Great,	3	`	you do, Mr. Turner?
4	À.	I have it right here.	4	A.	As an officer and supervisor or
5	Q.	All right. You said when you received training about	5	Q.	Yeah, both. Okay. Let's break it down if you can.
6	•	raid procedures, did you ever see this particular	6	A.	Well, as an officer, I was involved with I would say
7		document in the course of the training that you	7		approximately maybe a hundred altogether.
8		received to work at vice enforcement?	8	Q.	And that's over a period of a number of years; is that
9	A.	I believe this is in the manual. I have seen this	9		right, sir?
10 .		before, yes.	10	A.	Yes,
11 .	Q.	Were you instructed in accordance with this particular	11	Q.	And I was a little unclear as to how many years there
12		portion of the manual?	12		were that you worked at vice enforcement both as an
13	A.	I can't recall that we got this specifically, but I	13		officer and then again as a supervisor,
14		remember seeing this document.	14	A.	Well, I would estimate approximately 15 as an officer
15	Q.	Would you say that this document constitutes an	15		and a supervisor.
16		accurate statement of the policies, practices, customs	16	Q.	All right. While you were a sergeant and working in
17		and usages of the vice enforcement unit in terms of	17		vice enforcement, who do you report to directly?
18		raid execution at blind pigs while you worked with that	18	A.	Well, I had several supervisors. I had several
19		unit both as an officer and as a sergeant?	19		lieutenants during that time.
20		MR, ASHFORD: Objection as to form.	20	Q.	And can you tell us who they were? This is from 2007
21	BY	MR. GOODMAN:	21		through 2010.
22	Q.	Go ahead. You can answer, Mr. Turner.	22	A.	Of course Vicki Yost, Deborah Fair, Earnest White.
23	A.	Yes, I would agree.	23		That's about all I recall at this time.
24	Q.	Okay. Now, can you tell us both as an officer and as a	24	Q.	Okay. Within the vice enforcement unit, whose decision
25		sergeant when you were with vice enforcement what kinds	25		was it that a raid would be conducted at a particular
		Page 23			Page 25
1		of activities you engaged in? What did you do?	1		blind pig? Who was that decision-maker?
2 .	A.	I did prostitution, after-hours location, blind pigs.	2	A.	It's basically the person's investigation whose it is.
3		I did stores where I did inspections. I did cab cab	3		It could be an officer. It could be a lieutenant. It
4		drivers and numerous other things. But those	4		could be a sergeant. Whomever's investigation it is
5		basically basically those were the duties I had	5		decides on whether we raid the location or not. Now,
6		right there.	6		how we raid it is of course it's the lieutenant's.
7	Q.	When you say you did blind pigs, first of all, what do	7	Q.	When you say how you raid it, what are the choices that
8		you mean by the term blind pig? What do you mean?	8		you might have in terms of conducting such a raid?
9	A.	I investigated a blind pig is selling alcohol after	9	A.	Well, what I mean is about how or when we conduct a
10		hours without a license.	10		raid is basically on the lieutenant. She or he
11	Q.	Okay.	11		basically are in charge.
12	A.	Without a license,	12	Q.	And when you say how we conduct such a raid, does that
13	Q.	All right. And when you did these blind pigs, these	13		mean the number of officers involved in the raid?
14		establishments where they were selling alcohol after	14	A.	Well, it could be a number of things. It could be
15		hours and without a license, what is it that you did,	15		which location we come from, do we come in the back
16		sir?	16		door, do we go in the side door, I mean a number of
17	A,	Did an investigation, did my investigation.	17		things that could be decided.
18	Q.	Would that involve undercover operations?	18	Q.	And those are I'm sorry. Go ahead,
19	A.	That's correct.	19	A,	And of course the lieutenant who's in charge of the
20	Q.	And the investigation would be going there undercover	20		unit makes those decisions, correct.
21		and determining whether or not there were violations of	21	Q.	And you say, though, that the officer who was engaged
22		the state liquor laws; is that correct, sir?	22		in the investigation which would be an undercover
23		I agree, yes.	23		operation is the one who decides we're going to raid
		- · · ·			
24		Did you also, as part of your duties and	24		this place or we're not going to raid this place; is
2 <b>4</b> 25		- · · ·	ļ		

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## Charles Turner 1/13/2012

## 8 (Pages 26 to 29)

		Page 26		Page 28
1	A.		1	evaluating the officer's performance.
2		and they get the elements of the crime that we're	2	Q. And that in part was based upon how many tickets they
3		looking for. They decide, they let us know that they	3	wrote for example; is that right?
4		have their elements and from there, okay, we set out a	4	MR. ASHFORD: Objection; asked and answered.
5		plan to raid the location.	5	THE WITNESS: That's not necessarily correct.
6	Q.	Okay. Did you understand vice enforcement to have a	6	BY MR. GOODMAN:
7	•	particular mission or goal with regard to blind pigs?	7	Q. You say not necessarily correct. Is it in any way a
8	A.	I don't understand that question, sir.	8	correct statement? In other words, was it used in any
9	Q.	Was it your understanding that it was the mission of	9	way to evaluate the performance of police officers by
10		the vice enforcement unit to put an end to blind pig	10	supervisors?
11		activity to the extent that it was able to do that?	11	MR. ASHFORD; Objection as to form; asked and
12		MR. ASHFORD: I'm going to object to that.	12	answered.
13		THE WITNESS: Well	13	BY MR, GOODMAN:
14		MR. ASHFORD: Hold on, Sergeant.	14	Q. Go ahead, sir.
15		I'm going to object as to form.	15	A. Well, I mean it was in consideration of course along
16		You can answer. Go ahead. You can answer.	16	with other things.
17		THE WITNESS: Well, I mean I mean my	17	Q. Sure. What other things?
18		understanding is we're vice was trying to eliminate	18	A. Do you come to work on time, do you turn in adequate
19		blind pigs or after-hours locations. I mean that's my	19	paperwork, I mean a number of things.
20		understanding,	20	Q. The form that you described which was submitted monthly
21		Y MR. GOODMAN:	21	by police officers, what was that form called, sir?
22	Q.	While you were an officer with vice enforcement, how	22	A. I can't remember right off the bat right now, but I
23		often was your performance evaluated as a police	23	would refer to it as a monthly.
24		officer?	24	Q. Have you ever heard the term tally sheet?
25	A.	All the time. All the time.	25	A. No.
				11. 110,
		Page 27		Page 29
1	Q.		1	Page 29
	Q.	-		
1	Q.	Were there any formal evaluations on you and if so, was	1	Page 29  Q. Okay. The monthly that you've referred to, did that
1 2	Q.	Were there any formal evaluations on you and if so, was that an annual evaluation, semiannual? Can you describe that?	1 2	Page 29  Q. Okay. The monthly that you've referred to, did that also tally up the number of vehicles that were seized
1 2 3		Were there any formal evaluations on you and if so, was that an annual evaluation, semiannual? Can you describe that?	1 2 3	Page 29  Q. Okay. The monthly that you've referred to, did that also tally up the number of vehicles that were seized as a result of tickets that you wrote or arrests that
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1 2 3 4 5		Were there any formal evaluations on you and if so, was that an annual evaluation, semiannual? Can you describe that?  Well, your job performance while I was at vice was scrutinized all the time, whether you're doing your job	1 2 3 4 5	Page 29  Q. Okay. The monthly that you've referred to, did that also tally up the number of vehicles that were seized as a result of tickets that you wrote or arrests that you made?  A. No.
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# Charles Turner 1/13/2012

9 (Pages 30 to 33)

		) (Fages	J U	LU	35,
		Page 30			Page 32
1		take into account the number of vehicles that were	1		the premises at the time of the raid?
2		seized as a result of their actions; is that your	2	A.	I wouldn't say it was always necessary, but people were
3		testimony?	3		ticketed approximately every raid I was in, correct.
4	Α.	Not at all. No vehicles, no. They were never included	4	0.	Every raid you were in, someone was ticketed; is that
. 5		with my evaluation.	5	٧.	right?
6	Q.	Do you know whether the whether your unit, vice	6	A.	
7	Ψ,	enforcement unit was evaluated within the department?	7	Q.	
8	A.	I believe not.	8	ν.	I think you said there may well have been over a
9	Q.	You believe it was not evaluated?	9		hundred, in which people were not who were in the
1.0	Ą. A.	Not in regards to vehicles, no. I don't believe we	10		premises were not ticketed?
11		were ever evaluated on such statistics.	11	А	No. No.
1.2	Ð.	Are you aware of whether or not when vehicles were	12		Now, take a look if you would at what has been marked
13	٧.	seized, a fine and costs were paid by the owner of the	13	ζ.	Exhibit 2 which is the nuisance the Raid Execution/
14		vehicle in order to retrieve the vehicle?	14		Blind Pig policy. Do you have that in front of you,
15	Α.	Yes, I'm aware of that.	15		sir? It's part of the police manual.
16	Q.	There was money associated with a person getting their	16	A.	
17	٧.	car back; is that right, sir?	17	Q.	· · · · · · · · · · · · · · · · · · ·
18	A	Yes,	18	A,	Yeah, I'm holding that.
19	Q.	Do you know whether the City of Detroit received any of	19	Q.	
20	ν.	that money that was turned over in connection with	20	٧.	page of that exhibit, there's a section called Raid
21		retrieving the vehicle?	21		Procedures. Do you see that, sir?
22	A	I understand it was between the county and the city,	22	A.	
23	12.	yes.	23	Q.	
24	Ö	So the city did get some money; is that right?	24	٧.	surveillance, correct?
25	A.		25	A.	•
		Page 31			Page 33
1	Q,	Page 31  And you understood that at the time that you were a	1.	Q.	What is your understanding of the meaning of
1 2			1. 2		
		And you understood that at the time that you were a sergeant with the vice enforcement unit; is that correct, sir?		Q.	What is your understanding of the meaning of surveillance as it's set forth in that portion of the manual?
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## 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 11 of 23 Pg ID 2209

## Charles Turner 1/13/2012

10 (Pages 34 to 37)

			1		
		Page 34			Page 3.6
1		decision as to whether or not the people inside are	1		of Arts in Detroit?
2		going to be cited or ticketed?	2	A,	This is why we're here now, correct?
3	A.	Well, normally anyone inside the location is going to	3	Q.	That's right. Do you remember it?
4		be ticketed, so	4	À.	Vaguely, yes.
5	Q.	So the decision has been made even before you go in; is	5	Q.	Do you remember the location?
6		that right?	6	À.	The vicinity, yes.
7	A.	Basically, yes.	7	Q.	If I said 5141 Rosa Parks, would you disagree with me?
8	Q.	Okay. And the basis for that decision, that is that	8	A.	No
9		anybody inside the establishment will be ticketed, is	9	Q.	All right. That's the location or the general vicinity
1.0		the fact that they are present in the establishment	10		that you recall, is it not, sir?
11		itself; is that right?	11	A.	Yes, sir.
12	A.	That's correct.	12	Q.	Okay. Do you recall how the how this location,
13	Q.	It does not matter whether you have any evidence one	13	-	establishment first came to your attention?
14		way or the other that the person inside the	14	A.	I believe a complaint came in. I'm not exactly sure.
15		establishment knew, for example, that the establishment	15	Q.	Do you recall hearing about the complaint or receiving
16		was unlicensed; is that a fair statement, sir?	16		the complaint yourself?
17		MR. ASHFORD: Objection as to form.	17	A.	I didn't receive it, but from my recollection, it was a
18		You can answer.	18		complaint.
1.9		THE WITNESS: Can you repeat that question,	19	Q.	All right. I think you indicated one of the documents
20		sir?	20		that you reviewed here was the warrant affidavit which
21	BY	MR. GOODMAN:	21		was signed by Sergeant Buglo; am I right about that?
22	Q.	Sure. What I said is that the decision that was made,	22	A.	The warrant? Search warrant, yes.
23		that is anyone in the establishment is going to be	23		MR. GOODMAN: Let me indicate for the record
24		ticketed or cited, is not based upon whether you have	24		that we have marked as Turner Exhibit 3, Deposition
25		evidence that that person knew that the particular	25		Exhibit 3, a document which is entitled Anticipatory
		Page 35			
		Page 35			Page 37
1		blind pig was licensed or not licensed; am I right	1		Page 37 Search Warrant.
2		blind pig was licensed or not licensed; am I right about that?	2	BY	Page 37 Search Warrant. MR. GOODMAN;
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# Charles Turner 1/13/2012

## 11 (Pages 38 to 41)

		11 (1dg0)	, , ,	CO	/
		Page 38			Page 40
1	Q.	And how did you know that?	1	Ο.	All right. And just for the record and to clarify,
2	Ā.	From them, From both of them,	2	· ~.	this is dated at the top of the document May 30th,
3	Q.	They told you, right?	3		2008; am I right?
4	A.	That's correct.	4	Α.	Yes.
5	Q.	And did they tell you that because that was an	5	Q.	
6		important part of their duties and your duties and	6	`	particular activity log: Sergeant D. Buglo, Sergeant
7		responsibilities at that time within the unit? In	7		C. Turner, P.O. McClendon, P.O. S. Johnson, P.O. J.
8		other words, were you supposed to know what they were	8		Passmore, P.O. T. Gray, G-R-A-Y, P.O. R. Smith and
9		up to and they were supposed to tell you what they were	9		Lieutenant V. Yost. Am I right?
10		up to and vice versa?	10	A.	<del>-</del>
11	A.	If they choose to tell. I mean people have their	11	Q.	Okay. Now, let's go through some of the items that are
12		separate investigations. I mean you handle everyone	12	•	spelled out in this particular log. It says that
1.3		handles their investigation differently. If they	13		between the hours of 10:45 p.m. and 11:00 p.m., you
14		choose to tell me what's going on with their	14		were on duty and roll call per Lieutenant Yost
15		investigation at a certain time, they choose to do it.	15		preparing for raid?
16		If not, I will wait until it's pertinent for them to	16	A.	Correct.
17		tell me.	17	Q.	First of all, did you fill out this particular log
18	Q.	And Mr. Turner, what was it who was it, which of the	18		sheet yourself?
19		two of them talked to you, Buglo or Yost?	19	A.	No, I did not.
20	A.	Well, I talked to both of them.	20	Q.	Did you sign it?
21	Q.	What was it that they told you was going on at this	21	A.	Yes,
22		location?	22	Q.	Where is your signature on it? Oh, I see it.
23	A.	I understand it was selling of alcohol, alcohol use,	23	A.	Top to the right.
24		marijuana use. That's about it.	24	Q,	Just above your printed name, right?
2.5	Q.	Did they tell you about any guns or weapons at that	25	A.	Correct.
		· · · · · · · · · · · · · · · · · · ·	1		
	-	Page 39	ļ		Page 41
		Page 39	1		Page 41
1	Δ	location?	1	Q.	So when it says per Lieutenant Yost, does that mean
1 2	Α.	location? No.	2	Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?
1 2 3	Q.	location? No. Any violence?	2	Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.
1 2 3	Q.	location? No. Any violence?	2 3 4	Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.  And at that roll call, did Lieutenant Yost advise the
1 2 3 4 5	Q. A. Q.	location? No. Any violence? No. Any drugs other than marijuana?	2 3 4 5	Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.  And at that roll call, did Lieutenant Yost advise the unit that you were going to engage in a raid at the
1 2 3 4 5 6	Q. A. Q. A.	location? No. Any violence? No. Any drugs other than marijuana? Just marijuana.	2 3 4 5 6	Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.  And at that roll call, did Lieutenant Yost advise the unit that you were going to engage in a raid at the CAID location on Rosa Parks that evening or early the
1 2 3 4 5 6	Q. A. Q.	location? No. Any violence? No. Any drugs other than marijuana? Just marijuana. All right. And when they told you these things, was	2 3 4 5 6 7	Q. A. Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.  And at that roll call, did Lieutenant Yost advise the unit that you were going to engage in a raid at the CAID location on Rosa Parks that evening or early the next morning?
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. A. Q. A. Q. A.	No. Any violence?  No. Any drugs other than marijuana? Just marijuana. All right. And when they told you these things, was this a part of a briefing to the entire unit or were these things told just to you as the other sergeant in the unit? Just to me as a sergeant and to the other officers. It was told to the other officers; is that right, sir? Later on, yes, correct. During a briefing immediately before the raid, is that when it was told to the other officers? Yes. But you knew about it before that briefing; am I right? Yes.  MR. GOODMAN: Now, you mentioned the run sheet which I think we've agreed was the DPD activity log. And let the record show that I've marked as Turner Exhibit 4 the DPD activity log.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. A. Q. A. Q. A. Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.  And at that roll call, did Lieutenant Yost advise the unit that you were going to engage in a raid at the CAID location on Rosa Parks that evening or early the next morning?  That's correct.  What else happened during the roll call with reference to that particular raid, sir?  Everyone gets their assignments and we prepare for the raid.  You got your assignment for the raid itself; is that correct?  That's correct.  Was there any indication as to who was going to be the raid commander?  It wasn't pointed out, but the lieutenant was.  Right. That was a given and known to everybody; is that right?  Yes.  And who was the deputy raid commander?  Sergeant Buglo.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. A. Q. A. Q. A. Q. A. Q. A.	location? No. Any violence? No. Any drugs other than marijuana? Just marijuana. All right. And when they told you these things, was this a part of a briefing to the entire unit or were these things told just to you as the other sergeant in the unit? Just to me as a sergeant and to the other officers. It was told to the other officers; is that right, sir? Later on, yes, correct. During a briefing immediately before the raid, is that when it was told to the other officers? Yes. But you knew about it before that briefing; am I right? Yes. MR. GOODMAN: Now, you mentioned the run sheet which I think we've agreed was the DPD activity log. And let the record show that I've marked as Turner Exhibit 4 the DPD activity log.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. A. Q. A. Q. A. Q. A. Q. A. A. Q. A. Q. A. A. Q. A. Q. A. Q. A. A. Q. A. Q. A. A. Q. A. A. Q. A. Q. A. Q. A. A. Q. A. Q. A. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. A. Q. Q. Q. Q. Q. A. Q. Q. Q. Q. Q. A. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q. Q.	So when it says per Lieutenant Yost, does that mean that Lieutenant Yost conducted the roll call?  Correct.  And at that roll call, did Lieutenant Yost advise the unit that you were going to engage in a raid at the CAID location on Rosa Parks that evening or early the next morning?  That's correct.  What else happened during the roll call with reference to that particular raid, sir?  Everyone gets their assignments and we prepare for the raid.  You got your assignment for the raid itself; is that correct?  That's correct.  Was there any indication as to who was going to be the raid commander?  It wasn't pointed out, but the lieutenant was.  Right. That was a given and known to everybody; is that right?  Yes.  And who was the deputy raid commander?  Sergeant Buglo.

## 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 13 of 23 Pg ID 2211

# Charles Turner 1/13/2012

## 12 (Pages 42 to 45)

		II (I de geb			** • 7
		Page 42			Page 44
1	Α.	My role was to supervise the evidence team and	1	o.	Can you quantify the number of times in which you've
2		supervise the ticket the writing of the tickets.	2		made such an arrest, sir?
3	Q.	Okay. Had you supervised writing of tickets before	3	A.	
4		that?	4	Q.	Okay. Going back to your run sheet here which is
5	A.	Yes.	5	_	Turner Exhibit 4, 10:45 to 11:00 was the roll call. It
6	Q.	And what did that particular responsibility consist of,	6		says 11:00 to 12:00, preparing for execution of search
7		sir?	7		warrant. Do you see that?
8	A.	It consisted of making sure the tickets are accurate	8	A.	Yes.
9		and written correctly.	9	Q.	And what was involved in that preparation?
10	Q.	So do you, yourself, engage in writing tickets on those	10	A.	We were preparing to get our equipment together and
11		occasions?	11		find out where we're going to hold our outside roll
12	A.	Some occasions, yes.	12		call and everyone gets into position to conduct their
13	Q.	And do you oversee the writing of tickets by officers	13		assignments.
14		who are under your supervision during that time?	14	· Q.	So then there was a briefing at the vice enforcement
15	A.	Yes.	15		unit and that briefing consisted of the information
16	Q.	Just to make sure that they're accurate?	16		that was provided during the roll call; is that right?
17	A.	Correct.	17	A.	
18	Q.		18	Q.	•
19		data or pieces of information about which you check the	19		officers and supervisors about where the entry point
20		accuracy? Do you follow my question?	20		would be?
21	A.	Make sure they have the correct charge, it's written	21	A.	•
22		legibly and you have the people's correct information	22	Q.	•
23		and it's filled out correctly.	23		of the premises of the location, of the particular
24	Q.	Which would be name, age, address, race and gender; is	24		blind pig involved in this incident?
25		that about right?	25	A.	That's correct.
		Page 43			Page 45
1	Α.		1	0.	_
1	A. O.	That's correct.	1 2		Okay. That was provided during the briefing at vice
		That's correct.  And how do you check those particular pieces of	1		_
2		That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're	2	Α.	Okay. That was provided during the briefing at vice enforcement; is that right?  That's correct.
2 3	Q.	That's correct.  And how do you check those particular pieces of	2	A.	Okay. That was provided during the briefing at vice enforcement; is that right?
2 3 4	Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?	2 3 4	A. Q.	Okay. That was provided during the briefing at vice enforcement; is that right?  That's correct.  And when you say that between 11:00 and 12:00 you were
2 3 4 5	Q. A.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the	2 3 4 5	A. Q.	Okay. That was provided during the briefing at vice enforcement; is that right?  That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you
2 3 4 5 6	Q. A.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.	2 3 4 5 6	A. Q. A.	Okay. That was provided during the briefing at vice enforcement; is that right?  That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together?
2 3 4 5 6 7	Q. A.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct,	2 3 4 5 6	A. Q. A.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together?  The raid box, the tickets, your uniform, you know, your
2 3 5 6 7 8	Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a	2 3 4 5 6 7 8	A. Q. A.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment.
2 3 5 6 7 8 9	Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?	2 3 4 5 6 7 8	A. Q. A. A.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment. Okay. And what's in a raid box, Mr. Turner?
2 3 4 5 6 7 8 9	Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?  I make sure they either have a license or a proper	2 3 4 5 6 7 8 9	A. Q. A. A.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment. Okay. And what's in a raid box, Mr. Turner? Tickets, handcuffs, all the things necessary for the
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2 3 4 5 6 7 8 9 10 11	Q. A. Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?  I make sure they either have a license or a proper identification from the subject.  What happens if someone doesn't have proper	2 3 4 5 6 7 8 9 10 11	A. Q. A. Q. Q.	Okay. That was provided during the briefing at vice enforcement; is that right?  That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together?  The raid box, the tickets, your uniform, you know, your raid equipment.  Okay. And what's in a raid box, Mr. Turner?  Tickets, handcuffs, all the things necessary for the raid, paperwork, a number of things we need for the raid.
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2 3 4 5 6 7 8 9 10 11 12 13 14	Q. A. Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?  I make sure they either have a license or a proper identification from the subject.  What happens if someone doesn't have proper identification?  Well, what we'll do, we'll try to obtain the	2 3. 4 5 6 7 8 9 10 11 12 13	A. Q. A. Q. A.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment. Okay. And what's in a raid box, Mr. Turner? Tickets, handcuffs, all the things necessary for the raid, paperwork, a number of things we need for the raid. How many tickets were there in the raid box on this particular night?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. A. Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?  I make sure they either have a license or a proper identification from the subject.  What happens if someone doesn't have proper identification?  Well, what we'll do, we'll try to obtain the information. We'll set them aside and normally they're	2 3. 4 5 6 7 8 9 10 11 12 13 14 15	A. Q. A. Q. A. Q. Q.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment. Okay. And what's in a raid box, Mr. Turner? Tickets, handcuffs, all the things necessary for the raid, paperwork, a number of things we need for the raid. How many tickets were there in the raid box on this particular night? I have no idea. Were you given any estimate as to how many people you might expect to be inside this location during your
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?  I make sure they either have a license or a proper identification from the subject.  What happens if someone doesn't have proper identification?  Well, what we'll do, we'll try to obtain the information. We'll set them aside and normally they're the last people that we deal with. We'd run their name or try to get information that would properly ID these people.  When you say try to get information, how might you try if they don't have it on them?  Well, in that case, more than likely, they would be arrested because we don't know who they are.  And have you ever made such arrests in the course of a blind pig raid?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Q. A. Q. A. Q. A. Q. Q. Q.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment. Okay. And what's in a raid box, Mr. Turner? Tickets, handcuffs, all the things necessary for the raid, paperwork, a number of things we need for the raid. How many tickets were there in the raid box on this particular night? I have no idea. Were you given any estimate as to how many people you might expect to be inside this location during your roll call briefing? No. I don't recall. Well, which is it, you don't recall or they didn't give you a number? I don't recall. Okay. Did you have over a hundred blank, empty tickets with you in the raid box that night if you know?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. A. Q. A. Q.	That's correct.  And how do you check those particular pieces of information or how do you tell the officers whom you're supervising how to check that?  I try to look at every ticket during and after the raid.  Well, in order to know that someone's name is correct, you would have to crosscheck it with something like a driver's license; is that right?  I make sure they either have a license or a proper identification from the subject.  What happens if someone doesn't have proper identification?  Well, what we'll do, we'll try to obtain the information. We'll set them aside and normally they're the last people that we deal with. We'd run their name or try to get information that would properly ID these people.  When you say try to get information, how might you try if they don't have it on them?  Well, in that case, more than likely, they would be arrested because we don't know who they are.  And have you ever made such arrests in the course of a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Q. A. Q. A. Q. A. Q. Q. Q.	Okay. That was provided during the briefing at vice enforcement; is that right? That's correct.  And when you say that between 11:00 and 12:00 you were getting your equipment together, what equipment did you get together? The raid box, the tickets, your uniform, you know, your raid equipment. Okay. And what's in a raid box, Mr. Turner? Tickets, handcuffs, all the things necessary for the raid, paperwork, a number of things we need for the raid. How many tickets were there in the raid box on this particular night? I have no idea. Were you given any estimate as to how many people you might expect to be inside this location during your roll call briefing? No. I don't recall. Well, which is it, you don't recall or they didn't give you a number? I don't recall. Okay. Did you have over a hundred blank, empty tickets

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# Charles Turner 1/13/2012

# 13 (Pages 46 to 49)

	Page 46		Page 48
1	raid box. It's already pre we get tickets and we	1	been the tactical mobile unit?
2	put them in there just in case.	2	A. Correct.
3	Q. If I were to tell you that about 134 people were	3	Q. Any other units that you can think of?
4	ticketed that night, would it be fair to say that there	4	A. I believe a narcotics enforcement unit was involved in
5	were at least 143 blank tickets in the raid box before	5	this,
6	you set out on the raid?	6	Q. And so the secondary roll call would be another
7	MR. ASHFORD: Objection; no foundation.	7	briefing; is that right?
8	BY MR. GOODMAN:	8	A. That is correct.
9	Q. Over the objection, go ahead.	9	Q. At a second location, correct?
10	A. You need me to answer?	1.0	A. That is correct.
11	MR. ASHFORD: You can answer.	11	Q. The first location was the vice enforcement unit
12	BY MR, GOODMAN;	1.2	location and can you say where that was?
13	Q. Yes, please.	13	MR, ASHFORD: I'm going to object to that as
14	A. Repeat the question, please.	14	being confidential law enforcement information and
15	Q. The question is this. If I were to tell you that there	15	instruct the witness not to answer.
16	were 134 people ticketed that night at that location at	16	BY MR. GOODMAN:
17		17	
	5141 Rosa Parks Boulevard in the course of this raid,	l	
18	would it be fair to say that there were at least 143	18	secondary roll call, how many officers were present for
19	blank tickets in your raid box before you set out on	19	that if you can recall?
20	your raid that night?	20	A. I can't recall.
21	MR. ASHFORD: Objection	21	Q. And was the information that had been covered in the
22	THE WITNESS: Yes.	22	initial roll call at vice enforcement gone over again a
23	MR. ASHFORD: form and foundation.	23	second time during the secondary roll call for officers
24	BY MR. GOODMAN:	24	who were not present during the first one?
25	Q. Now, according to again Exhibit 4 which is the run	25	A. Yes.
	Page 47		Page 49
1	Page 47 sheet here, at 12:15, a notation is made that you're at	1	Page 49  Q. And was there any other information provided or
1 2	_	1 2	
	sheet here, at 12:15, a notation is made that you're at	ŀ	Q. And was there any other information provided or
2	sheet here, at 12:15, a notation is made that you're at TMU base secondary roll call. Do you see that?	2	Q. And was there any other information provided or delivered at that time?
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# Charles Turner 1/13/2012

14 (Pages 50 to 53)

		<u> </u>	,50	LO 55)
		Page 50		Page 52
1	Q.	Standing by where?	1	MR. GOODMAN: Are you instructing him not to
2	A,		2	answer it?
3	Q.		3	MR, ASHFORD: It's a ridiculous question. He
4		from one of the undercover officers to commence the	4	doesn't know.
5		raid; is that right?	5	MR. GOODMAN: Are you instructing the witness
6	Α.	Until the initial well, the officers go inside and	6	not to answer the question?
7		find their get their evidence on the evidence we	7	MR. ASHFORD: He wasn't there. How does he
8		need to raid the location, then we slowly move that way	8	know if she was lying or not?
9		towards the target.	9	MR. GOODMAN: Your objections previously have
10	Q.		10	been if I may say so, Counsel, I won't use the same
11	Ψ,	they have obtained the evidence they need for you to	11	word you used, but I think insubstantial based upon the
12		commence the raid?	12	fact that there's already been testimony to this fact.
13		MR. ASHFORD: I'm going to object look,	13	I'm simply having him verify it. You won't allow the
14		I'm going to object to the extent that it calls for	14	witness to do that, so I have to get at it one way or
15		confidential law enforcement information. I'm going to	15	another.
16		instruct the witness not to answer anything that is	16	MR, ASHFORD: You can take it up with the
17		confidential law enforcement information.	17	Court. I instruct the witness not to answer that
1.8		MR, GOODMAN: Well, let the record show that	18	question,
19		Lieutenant Yost, now Commander Yost, Inspector Yost,	19	MR. GOODMAN: Okay. We will.
20		excuse me, has testified that she, as an undercover	20	BY MR. GOODMAN:
21		agent, made a call from inside the location to units	21	Q. Now, do you see the bottom line of the activity log,
22		outside the location. So I think that any right to	22	first page of the activity log which is marked Turner
.23		assert such a privilege at this point has been waived.	23	Exhibit 4 in front of you, sir?
24		But are you still instructing the witness not to	24	A. Yes
25		answer?	25	Q. And the time that's noted there, can you tell me what
⊿⊃				Q. This the mine mate noted more, can you ten me man
<u></u>				
		Page 51		Page 53
1		Page 51  MR. ASHFORD: Inspector Yost is not my client	1.	Page 53 time that is? I can't quite it appears as though it
1 2		Page 51  MR. ASHFORD: Inspector Yost is not my client and this witness is my client, so I'm instructing him	1.2	Page 53 time that is? I can't quite it appears as though it may be 2:20 a.m., but I can't tell for you. Can you?
1 2 3		Page 51  MR. ASHFORD: Inspector Yost is not my client and this witness is my client, so I'm instructing him not to answer any questions about confidential law	1 2 3	Page 53  time that is? I can't quite it appears as though it may be 2:20 a.m., but I can't tell for you. Can you?  A. It says 2:20 a.m.
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# Charles Turner 1/13/2012

15 (Pages 54 to 57)

		<del></del>	1	•
		Page 54		Page 56
1	A.	Correct.	1	BY MR, GOODMAN:
2	Q.	And processing prisoners and paperwork would have been	2	Q. And in this particular document, the same defendants
3	-	the process that was going on at the location at the	3	are listed again. Am I right about that?
4		blind pig itself; is that right, sir?	4	A. It appears that way, correct.
5	A.	No. We must have had prisoners. No. We must have had	5	Q. Along with a little bit of narrative at the end of the
6		prisoners, so according to this, we were processing	6	list of defendants, do you see that narrative?
7		prisoners and some was back at the base and property	7	A. Yes.
8		and paperwork.	8	Q. And in that narrative, it states, quote, "Lieutenant
9	Q.	Up until withdraw that question.	9	Vicki Yost, Badge Number L-112 and Sergeant Daniel
10		Between the period of 2:20 to 5:45, prisoners	10	Buglo, Badge S-444, both assigned to vice enforcement
11		or excuse me, persons let me start again. Let me	11	entered the location in an undercover capacity to
12		rephrase the question here.	12	confirm illegal activity. Writer and partner were
1.3		Between 2:20 and 5:45, persons who had been	13	charged a five dollar cover charge and a three dollar
14		cited or ticketed and detained at the CAID premises	14	membership fee. Writer observed several patrons with
15		were being processed and given their citations; is that	15	alcohol. Writer and partner purchased beer from the
16		right, sir?	16	bar at four dollars a cup. At approximately 2:10 a.m.
17	A.	That's correct according to the paperwork here.	17	patrons were still being allowed into the location and
18	Q.	And during that period, they were not free to leave	18	the bar was still open. Lieutenant Yost notified the
19		until they had been processed; is that right, sir?	19	raid crew and same executed the anticipatory search
20	A.	Correct.	20	warrant. Writer was the affiant on the search
21	Q.	Now, where does it say - oh, I see. On the last page	21	warrant." Is that what you saw on this exhibit?
22		of Exhibit 4, it indicates as you have previously	22	MR. ASHFORD: Objection as to form.
23		testified 5:45, Base 22, processing prisoners, property	23	BY MR, GOODMAN:
24		and paperwork, correct, sir?	24	Q. Do you see that?
25	A.	Yes, that's what it says.	25	A. This is what I see. This is what I see, yes.
				· •
		Page 55		
7		Page 55	-	Page 57
1	Q.	And then below that, it says 7:00 a.m., off duty. Am I	1	Page 57  Q. Were you informed of these facts at the time of the
2		And then below that, it says 7:00 a.m., off duty. Am I right about that?	2	Page 57  Q. Were you informed of these facts at the time of the raid itself?
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2 3 4 5	Α.	And then below that, it says 7:00 a.m., off duty. Am I right about that? Yes.  Okay. And then also on this activity log, there's a list of 134 people who were denominated as defendants.	2 3 4 5	Page 57  Q. Were you informed of these facts at the time of the raid itself?  MR. ASHFORD: Objection as to form.  BY MR. GOODMAN: Q. Go ahead, sir.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A. Q. Q.	And then below that, it says 7:00 a.m., off duty. Am I right about that? Yes.  Okay. And then also on this activity log, there's a list of 134 people who were denominated as defendants.  Am I right about that? Yes.  All right. And then with regard to each of those 134, there's some information about them such as their names, their ages, their addresses, their race and gender and the officer who was responsible for issuing the citation to each of them. Am I right about that?  Correct.  Okay. And why is that a part of the activity log itself? Is that standard? Was that standard at that time to indicate all persons who were ticketed or cited as a part of an activity log when there was a raid?  Yes.  Okay. I want you to look at what you called a PCR and I called a Crisnet with reference to this particular incident and I'm specifically referring to the report number 0805310096.1. Do you see that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 57  Q. Were you informed of these facts at the time of the raid itself?  MR. ASHFORD: Objection as to form.  BY MR. GOODMAN:  Q. Go ahead, sir.  A. Could you repeat that question one more time?  Q. Sure. Let me rephrase it. Did either Yost or Buglo tell you that this is what happened at the CAID on that night?  MR. ASHFORD: Objection as to form.  BY MR. GOODMAN:  Q. Go ahead.  A. No. Not that I recall, no. No.  Q. When did you see this Crisnet or PCR? When did you first see it?  A. This is the first time I'm seeing the Crisnet.  Q. Okay. Now, it says here that Lieutenant Yost notified the raid crew and same executed the anticipatory search warrant. Do you see that?  A. Yes.  Q. Does that comport with your recollection of what happened?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A. Q. Q.	And then below that, it says 7:00 a.m., off duty. Am I right about that? Yes.  Okay. And then also on this activity log, there's a list of 134 people who were denominated as defendants.  Am I right about that? Yes.  All right. And then with regard to each of those 134, there's some information about them such as their names, their ages, their addresses, their race and gender and the officer who was responsible for issuing the citation to each of them. Am I right about that?  Correct.  Okay. And why is that a part of the activity log itself? Is that standard? Was that standard at that time to indicate all persons who were ticketed or cited as a part of an activity log when there was a raid?  Yes.  Okay. I want you to look at what you called a PCR and I called a Crisnet with reference to this particular incident and I'm specifically referring to the report number 0805310096.1. Do you see that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 57  Q. Were you informed of these facts at the time of the raid itself?  MR. ASHFORD: Objection as to form.  BY MR. GOODMAN:  Q. Go ahead, sir.  A. Could you repeat that question one more time?  Q. Sure. Let me rephrase it. Did either Yost or Buglo tell you that this is what happened at the CAID on that night?  MR. ASHFORD: Objection as to form.  BY MR. GOODMAN:  Q. Go ahead.  A. No. Not that I recall, no. No.  Q. When did you see this Crisnet or PCR? When did you first see it?  A. This is the first time I'm seeing the Crisnet.  Q. Okay. Now, it says here that Lieutenant Yost notified the raid crew and same executed the anticipatory search warrant. Do you see that?  A. Yes.  Q. Does that comport with your recollection of what happened?

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### Charles Turner 1/13/2012

### 16 (Pages 58 to 61)

•		Page 58			Page 60
1		right?	1		person who issued the citation?
2	Α.	I can't recall if it was by her or I can't recall,	2	Α.	That's correct.
3	Q.	Was it you that was notified about this?	3		And the only basis upon which you issued that citation
4	A.	I can't recall,	4		was that they were present at the time?
5	Q.	All right. I want to go through some of the names here	5		MR, ASHFORD: Objection to form.
6	•	in Exhibit 5 with you if I may. If you would turn to	6	BY	MR. GOODMAN:
7		page three and there's a Defendant 52 toward the bottom	7	Q.	Over the objection, you may answer.
8		of page three. Do you see that?	8	A.	Yes.
9	Α.	Yes.	9	Q.	And do you remember where any of these people were
10	Q.	Jenna Marie Rinke, do you see her?	10	•	located within the premises itself?
11	A.	Yes.	11	Α,	When?
12	Q.	And apparently, you issued the citation to Ms. Rinke;	12	Q.	At the time
13	Ψ.	am I right about that?	13	A.	When?
14	Α.	Yes.	14	Q.	At the time you observed them in the premises?
15	Q.	Do you remember Ms. Rinke?	15	A.	Against the wall or on the floor.
16	A.	No.	16		Had they been withdraw that question. Do you know
17	Q.	Do you remember anything that she did that night?	17		whether there was an outside patio in this location?
1.8	A.		18		Do you recall?
19	Q.		19		I don't recall.
20	A.		20	Q.	
21	Q.	And how did you know that when you issued the citation	21	-	location if you can recall?
22	٧.	to her?	22		I don't recall that either.
23	Α.	I knew it after we conducted the raid.	23	Q.	More than one?
24	Q.	How did you know it?	24	A.	Yes.
25	A.	She was there. She was there.	25	Q.	Were the people brought into a single location from a
		Dago FO			
		Page 59			Page 61
1	Q.	That was the only basis for your issuance of a citation	1		Page 61 variety of rooms within the location?
1 2		That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?	2	A.	Page 61 variety of rooms within the location? I believe so.
1 2 3	Α.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.	2	A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until
1 2 3		That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names	3 4	A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded?
1 2 3 4 5	Α.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see	2 3 4 5	A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes.
1 2 3 4 5	A. Q.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?	2 3 4 5 6	A. Q. A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes. So your knowledge of their being on the premises was
1 2 3 4 5 6	A. Q.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?  Yes.	2 3 4 5 6 7	A. Q. A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes. So your knowledge of their being on the premises was with regard to some of them, may have been that someone
1 2 3 4 5 6 7 8	A. Q. A. Q.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?  Yes.  And Defendant 102, Scott Thomas Hughes?	2 3 4 5 6 7 8	A. Q. A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes. So your knowledge of their being on the premises was with regard to some of them, may have been that someone else found them elsewhere in the premises and brought
1 2 3 4 5 6 7 8	A. Q. A. Q. A.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?  Yes.  And Defendant 102, Scott Thomas Hughes?  102?	2 3 4 5 6 7 8 9	A. Q. A. Q.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes. So your knowledge of their being on the premises was with regard to some of them, may have been that someone else found them elsewhere in the premises and brought them to a particular room; is that correct?
1 2 3 4 5 6 7 8 9	A. Q. A. Q.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?  Yes.  And Defendant 102, Scott Thomas Hughes?  102?  Yeah, at the very bottom of page five.	2 3 4 5 6 7 8 9	A. Q. Q. A.	Page 61 variety of rooms within the location? I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes. So your knowledge of their being on the premises was with regard to some of them, may have been that someone else found them elsewhere in the premises and brought them to a particular room; is that correct? That's a possibility.
1 2 3 4 5 6 7 8 9 10	A. Q. A. Q. A.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?  Yes.  And Defendant 102, Scott Thomas Hughes?  102?  Yeah, at the very bottom of page five. I have a Bruce Russell Nichols as 102.	2 3 4 5 6 7 8 9 10	A. Q. A. Q.	variety of rooms within the location?  I believe so.  And was it the case that you did not see them until they were in the room into which they had been herded?  That's a good yes.  So your knowledge of their being on the premises was with regard to some of them, may have been that someone else found them elsewhere in the premises and brought them to a particular room; is that correct?  That's a possibility.  And how do you know that they were brought in from the
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. Q. A. A. A. A. A. A. A. A. A. A. A. A. A.	That was the only basis for your issuance of a citation to Ms. Rinke at that time; is that correct?  That's correct.  I want you to go through a few of these other names with me if you would. Turning to page five, do you see Defendant 100, Thomas Anthony Cole?  Yes.  And Defendant 102, Scott Thomas Hughes? 102?  Yeah, at the very bottom of page five. I have a Bruce Russell Nichols as 102.  Excuse me. 103. I apologize. I misread that. Do you see Scott Thomas Hughes as 103?  Yes.  And do you see Defendant 104, Amada B. Sandrik?  Yes.  And Stefanie Marie Bockenstellt is Defendant 107? 107? Yes.  And 116 is Brian Keith Savoie?  Yes.  117 is Angie Wong?  Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A. Q. A. Q. A. Q.	variety of rooms within the location?  I believe so. And was it the case that you did not see them until they were in the room into which they had been herded? That's a good yes. So your knowledge of their being on the premises was with regard to some of them, may have been that someone else found them elsewhere in the premises and brought them to a particular room; is that correct? That's a possibility. And how do you know that they were brought in from the premises itself? How do you know they were not brought in by some officer off the street?  MR. ASHFORD: Objection; calls for speculation. Objection as to form, foundation.  MR. GOODMAN: Over the objection, you can answer.  Well, once we conduct the raid, no one is allowed to come in or leave.  That's if your orders and policies and procedures are followed; is that correct?  Yes.

#### 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 18 of 23 Pg ID 2216

### Charles Turner 1/13/2012

17 (Pages 62 to 65)

		Page 62		Page 64
1	Q.	Did you make any effort while you were present to make	1	much,
2	_	sure that the policies, procedures and practices of the	2	THE WITNESS: Thank you.
3		vice enforcement unit with regard to raids were	3	(Short break 4:19 p.m. to 4:25 p.m.)
4		followed in the course of this proceeding?	4	BY MR. GOODMAN:
5	Å.		5	Q. Can you hear us?
6	Q.	So that if there were any misconduct by any officers,	6	A. Yes.
7		you would have observed it; is that correct, sir?	7	Q. Great. Do you recall who was a member of the initial
8	A.	Possibly.	8	entry team at the time of the raid? And by the raid,
9	Q.	Or heard about it, is that correct?	9	I'm referring to the raid on May the 31st, 2008.
10	A.	Possibly.	10	A. I believe it was TMU, tactical
11	Q.	Is it possible, also, that if there had been any	11	Q. And was that I'm sorry. Go ahead,
12		misconduct by any officers, you might not have heard	12	A narcotics and vice.
13		about it or seen it?	13	Q. All right. So which of those units constituted the
1.4		MR. ASHFORD: Objection as to form and	14	entry team?
15		foundation; calls for speculation.	15	A. Narcotics,
16	BY	MR. GOODMAN:	16	Q. And who from narcotics was in that entry team?
17	Q.	Go ahead.	17	A. I don't recall.
18	A.	It's possible.	18	Q. Would there be any documentation of that?
19	Q.	Did you see any acts of physical violence occur that	19	A. I don't know, sir.
20		night between officers and persons who had been	20	Q. Let's put it let's start with the with the
21		detained on the premises at this location?	21	Crisnet which we've already looked at and marked as
22	A.	No.	22	Turner Exhibit 5. There's nowhere on there that any of
23	Q.	Did you see anyone kicked?	23	the officers, other than vice enforcement officers, are
24	A.	No.	24	indicated or reflected, is there?
25	Q.	Were you aware of the fact that anyone had been kicked?	25	A. That's correct.
		Page 63		Page 65
1	A,	Page 63	1	Page 65  Q. And on the run sheet which we looked at before, which
1 2	A. Q.		1 2	_
	_	No.	l .	Q. And on the run sheet which we looked at before, which
2	_	No.  No one told you that a person who had been detained was kicked by a police officer?	2	Q. And on the run sheet which we looked at before, which is Turner Exhibit 4, the only officers who are
2 3	Q.	No.  No one told you that a person who had been detained was kicked by a police officer?  No.  Do you know whether there was any video or tape	2	Q. And on the run sheet which we looked at before, which is Turner Exhibit 4, the only officers who are reflected in that particular document are vice
2 3	Q.	No.  No one told you that a person who had been detained was kicked by a police officer?  No.  Do you know whether there was any video or tape recording of the entry into these premises?	2 3	Q. And on the run sheet which we looked at before, which is Turner Exhibit 4, the only officers who are reflected in that particular document are vice enforcement officers; is that right?
2 3 4 5	Q.	No.  No one told you that a person who had been detained was kicked by a police officer?  No.  Do you know whether there was any video or tape	2 3 4 5	<ul> <li>Q. And on the run sheet which we looked at before, which is Turner Exhibit 4, the only officers who are reflected in that particular document are vice enforcement officers; is that right?</li> <li>A. That's correct.</li> </ul>
2 3 4 5 6	Q. A. Q.	No.  No one told you that a person who had been detained was kicked by a police officer?  No.  Do you know whether there was any video or tape recording of the entry into these premises?	2 3 4 5 6	<ul> <li>Q. And on the run sheet which we looked at before, which is Turner Exhibit 4, the only officers who are reflected in that particular document are vice enforcement officers; is that right?</li> <li>A. That's correct.</li> <li>Q. And so is it fair to say that if there is any</li> </ul>
2 3 4 5 6 7	Q. A. Q.	No.  No one told you that a person who had been detained was kicked by a police officer?  No.  Do you know whether there was any video or tape recording of the entry into these premises?  Not to my knowledge.  Did you see any recording devices anywhere on the premises?	2 3 4 5 6 7	<ul> <li>Q. And on the run sheet which we looked at before, which is Turner Exhibit 4, the only officers who are reflected in that particular document are vice enforcement officers; is that right?</li> <li>A. That's correct.</li> <li>Q. And so is it fair to say that if there is any documentation of who was in the entry team, you are not</li> </ul>
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### Charles Turner 1/13/2012

18 (Pages 66 to 69)

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	Page 66			Page 68
1	documentation of the fact that a police officer,	1	Α.	Well
2	someone who appears to be a police officer kicks a	12	Q.	In other words, what were the steps that you took?
3	patron in the course of this raid. Assuming that we	3	A.	
4	can't identify that person from the picture, recording	4		match the keys to the vehicle and then we impound it.
5	that we have, the only way we're going to know who that	5	Q,	So you ask them, "What kind of vehicle are you
6	person might be is if we know the names of the officers	6	•	driving;" is that right?
7	who were present at the time; is that a fair statement?	7	Ä.	That's correct.
8	MR. ASHFORD: Objection; form and foundation.	8		
9	THE WITNESS: That sounds fair,	Ι.	Q.	Or what's the license plate number or something like
	BY MR. GOODMAN:	9		that, right?
10		10	A.	•
11	Q. And the only way we're going to know who was present at	11	_	and it's their vehicle, correct.
1.2	the time is if there's some documentation or official	12	Q.	And then you take their keys; is that right, sir?
13	recording of that fact in the Detroit Police Department	13	Α.	Yes.
14	documents; is that a fair statement?	14	Q.	Their car keys, and you see if the key turns on the
15	MR. ASHFORD; Objection	15		car?
16	THE WITNESS: Yes.	16	Α,	See if it opens the car, turns it on, whichever way we
17	MR. ASHFORD: foundation. Strike that.	17		can establish.
18	Objection; form; calls for speculation.	18	Q.	Did you do that yourself with some of these vehicles?
19	BY MR. GOODMAN:	19	A.	No, I did not.
20	Q. Over that objection, your answer to my question is yes;	20	Q.	Who did that? Which officers did that?
21	am I right?	21		I don't recall. We have certain officers assigned to
22	A. Yes.	22		certain activity, certain jobs.
23	Q. Okay. Now, you indicated that you were in charge of	23	Q.	And some of the officers are assigned to the
24	making sure that the processing the issuance of	24		impoundment of vehicles; is that right?
25	citations; am I right about that?	25	A.	That's correct.
	, ,		1 1.	
	Page 67		71.	Page 69
1	Page 67			Page 69
1 2	Page 67 A. Yes.	1	Q.	Page 69  Did you notify the towing company to come and get the
2	Page 67  A. Yes.  Q. In the course of instructing and supervising that	1 2	Q.	Page 69  Did you notify the towing company to come and get the vehicles?
2	Page 67  A. Yes.  Q. In the course of instructing and supervising that operation, did you instruct the officers who were	1 2 3	Q. A.	Page 69  Did you notify the towing company to come and get the vehicles?  Yes.
2 3 4	Page 67  A. Yes.  Q. In the course of instructing and supervising that operation, did you instruct the officers who were issuing citations and did you, yourself, make inquiries	1 2 3	Q. A. Q.	Page 69  Did you notify the towing company to come and get the vehicles?  Yes.  And the towing company was Boulevard and Trumbull
2 3 4 5	Page 67  A. Yes.  Q. In the course of instructing and supervising that operation, did you instruct the officers who were issuing citations and did you, yourself, make inquiries as to whether or not the people had driven to this	1 2 3 4 5	Q. A. Q.	Page 69  Did you notify the towing company to come and get the vehicles?  Yes.  And the towing company was Boulevard and Trumbull Towing?
2 3 4 5 6	Page 67  A. Yes.  Q. In the course of instructing and supervising that operation, did you instruct the officers who were issuing citations and did you, yourself, make inquiries as to whether or not the people had driven to this location in a vehicle of their own?	1 2 3 4 5	Q. A. Q. A.	Page 69  Did you notify the towing company to come and get the vehicles?  Yes.  And the towing company was Boulevard and Trumbull Towing?  I believe so.
2 3 4 5 6 7	A. Yes.  Q. In the course of instructing and supervising that operation, did you instruct the officers who were issuing citations and did you, yourself, make inquiries as to whether or not the people had driven to this location in a vehicle of their own?  MR. ASHFORD: Objection as to form.	1 2 3 4 5 6	Q. A. Q. A.	Did you notify the towing company to come and get the vehicles? Yes. And the towing company was Boulevard and Trumbull Towing? I believe so. And who withdraw that question.
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### Charles Turner 1/13/2012

19 (Pages 70 to 73)

				David <b>50</b>
		Page 70		Page 72
1		Crisnet number as the one we just looked at, except	1.	Q. Was it somebody in your unit?
2		this is point three. Do you see that one? The subject	2	A. Yes, more than likely.
3		is impound vehicle.	3	Q. We've already talked about the entry team. Was there a
4	A.	Yes.	4	separate commander for the entry team itself that
5	Q.	Now, going through the vehicle numbers again with me if	5	night?
6		you would, let's go to vehicle number 54. Do you see	6	A. Like I say, narcotics handled the entry.
7		that, page two?	7	Q. Right.
8	A.	Yes.	8	A. So I'm sure they had a separate commander.
9	Q.	This is our friend again, Jenna Marie Rinke, to whom	9	Q. Did you know at that time who that commander was?
1.0		you issued a citation as reflected in Exhibit No. 5 and	10	A. No.
11		we already talked about that. Do you remember Ms.	11	Q. Now, I asked you before I don't know if you remember
12		Rinke from the last exhibit?	12	this who made the decision as to who would be
13	A.	Yes,	13	ticketed that night and I think you indicated that that
14	Q.	Okay. And it says here that same information as	14	decision was made before the raid was even commenced.
15	-	before and your name is mentioned again. Do you see	15	Do you recall that testimony, sir?
16		that?	16	A. Well, normally, everyone is ticketed in the location.
17	A.	Yes.	17	Q. Right. And I have the same question with regard to the
18	Q.	Now, underneath that, it indicates that she was driving	18	seizure of vehicles that night. Who made the decision
19	•	a 2001 red Plymouth Neon with a license plate number	19	that any vehicles that were detected or found with
20		and so on. Do you see that?	20	regard to people who were cited or given tickets that
21	A.	Yes.	21	night, that those vehicles would be seized or
22	O.	Did you get that information from her at the time you	22	impounded?
23	•	issued the citation?	23	MR. ASHFORD: Objection; form and foundation.
24	A.	I don't recall if I got the information directly, but I	24	BY MR. GOODMAN;
25		obtained the information,	25	Q. Can you answer?
		Page 71		Page 73
1	Q.	You personally obtained the information that night?	1	A. Well, Lieutenant Yost was in charge. Normally, the
2	A.	I don't recall if I did or not, not from her	2	decision is made once we conduct the raid that everyone
3		personally.	3	is getting a ticket and if they drove a vehicle, it's
4	Q.	So somebody then after the citations were issued or	4	going to be impounded.
5		before the citations were issued went around the group	5	Q. If they drove a vehicle to the location. Is that
б		and asked people, "Do you have a car," and, "Give me	6	right, sir?
7		your keys," and that kind of thing? Am I right about	7	A. Yes.
8		that?	8	Q. What about if they drove a vehicle a mile away and left
9	A.	Yes.	9	it a mile away from the location and drove over with a
10	Q.	And they identified the cars at that time; is that	10	friend or something like that, would that vehicle be
11		correct, sir?	11	impounded in your opinion?
1.2	A.	Yes. Yes.	12	MR. ASHFORD: Objection; form and foundation.
13	Q.	And I see that the towing company here was AC Towing;	13	BY MR. GOODMAN:
14		is that correct?	14	Q. Over the objection?
15	A.	Yes. That's what it says.	15	A. No, that's too far away.
16		4 13 41 1 4 61		
17	Q.	And I think AC is a subsidiary of B and T Towing if you	16	Q. How about a half mile?
	Q.	And I think AC is a subsidiary of B and T Towing if you know. Do you know that?	16 17	<ul><li>Q. How about a half mile?</li><li>MR, ASHFORD: Same objection; form and</li></ul>
18	`		1	
18 19	`	know. Do you know that? No. I don't know.	17	MR, ASHFORD: Same objection; form and
	Α.	know. Do you know that?  No. I don't know.  Leaving that aside for the moment, who was it that put together the information here and made sure that the	17 18	MR, ASHFORD: Same objection; form and foundation.
19	Α.	know. Do you know that?  No. I don't know.  Leaving that aside for the moment, who was it that put	17 18 19	MR. ASHFORD: Same objection; form and foundation.  THE WITNESS: That's too far away.
19 20	Α.	know. Do you know that?  No. I don't know.  Leaving that aside for the moment, who was it that put together the information here and made sure that the description of the vehicles, the ownership of the vehicles and the name of the towing company was	17 18 19 20	MR, ASHFORD: Same objection; form and foundation.  THE WITNESS: That's too far away. BY MR. GOODMAN:
19 20 21	Α.	know. Do you know that?  No. I don't know.  Leaving that aside for the moment, who was it that put together the information here and made sure that the description of the vehicles, the ownership of the	17 18 19 20 21	MR, ASHFORD: Same objection; form and foundation.  THE WITNESS: That's too far away.  BY MR. GOODMAN:  Q. Okay. Were you aware of the fact that a vehicle driven
19 20 21 22	A. Q.	know. Do you know that?  No. I don't know.  Leaving that aside for the moment, who was it that put together the information here and made sure that the description of the vehicles, the ownership of the vehicles and the name of the towing company was	17 18 19 20 21 22	MR, ASHFORD: Same objection; form and foundation.  THE WITNESS: That's too far away.  BY MR. GOODMAN:  Q. Okay. Were you aware of the fact that a vehicle driven by a Mr. Mobley in fact was located about a half a mile
19 20 21 22 23	A. Q.	know. Do you know that?  No. I don't know.  Leaving that aside for the moment, who was it that put together the information here and made sure that the description of the vehicles, the ownership of the vehicles and the name of the towing company was included in this particular police report if you know?	17 18 19 20 21 22 23	MR, ASHFORD: Same objection; form and foundation.  THE WITNESS: That's too far away.  BY MR. GOODMAN:  Q. Okay. Were you aware of the fact that a vehicle driven by a Mr. Mobley in fact was located about a half a mile away and was seized that night? Did you ever hear

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### Charles Turner 1/13/2012

### 20 (Pages 74 to 77)

	20 (10300			• • •
	Page 74			Page 76
1	THE WITNESS: No.	1	Q.	The one would be where the finding was resolved.
2	BY MR, GOODMAN;	2	A.	Correct,
3	Q. Did you ever learn that there was a citizens complaint	3	Q.	Do you see that? What was that particular incident?
4	investigation based upon the seizure of that vehicle?	4.	À.	I don't recall at this time.
5	Did anyone from internal affairs or any other unit	5	Q.	That would have been in January of 2007, five years
6	within the department ever question you about that	6	•	ago. You don't recall?
7	vehicle or the seizure of that vehicle?	7	A.	No.
8	MR. ASHFORD: Objection; form,	8	Q.	We're getting there, sir. I'm almost done.
9	BY MR. GOODMAN:	9	-	I want to ask you one or two more questions
10	Q. Go ahead.	10		about your disciplinary history or the history that we
11	A. No.	11		have a record of and I have marked as Deposition
12	Q. I want to ask you just a couple questions about your	12		Exhibit 8 a Citizens Complaint Report from again this
13	disciplinary record if I may and I have marked as	13		is January of '07 from Jane Shallal, President of the
14	Exhibit 7, Turner Exhibit 7 a document called Officer	14		Associated Food & Petroleum Dealers, Incorporated. Do
15	Information Report. Do you see that there in front of	15		you see that? Do you have that there?
16	you?	16	A.	Yes.
17	A. Yes.	17	Q.	Could that be the incident which was indicated as
18	Q. Okay. Great. Take a moment and review it if you	18		resolved in the OCI report? It's about the same period
19	would, please.	19		of time as I see it.
20	A. Okay.	20	A.	I'm not sure, sir.
21	Q. On the first page of this, there are a number of listed	21	Q.	All right. Do you remember this particular
22	citizen complaints from 1991 through 1999. Do you see	22		investigation?
23	those?	23	A.	No.
24	A. Yes,	24	Q.	Do you want to take a moment and read through this
O.F.	Q. And those involved all sorts of allegations, force, I	25		document?
25	Q. And most involved an sorts of anegations, force, i	22		document.
				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
-	Page 75		Δ	Page 77
1	Page 75 guess it's improper force, improper arrest and other	1	A.	Page 77 Yes. Give me a moment.
1 2	Page 75 guess it's improper force, improper arrest and other allegations. Do you see there's a whole bunch of	1 2	A. Q.	Page 77  Yes. Give me a moment.  Yes, I will and for the record again, this is marked
1 2 3	Page 75 guess it's improper force, improper arrest and other allegations. Do you see — there's a whole bunch of them listed there. Do you see them there, sir?	1 2 3	Q.	Page 77  Yes. Give me a moment.  Yes, I will and for the record again, this is marked  Turner Exhibit 8. Go ahead, sir.
1 2 3	Page 75 guess it's improper force, improper arrest and other allegations. Do you see — there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes.	1 2 3	Q.	Page 77  Yes. Give me a moment.  Yes, I will and for the record again, this is marked  Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, sir.
1 2 3 4 5	page 75 guess it's improper force, improper arrest and other allegations. Do you see there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes. Q. With regard to each one of them, there's a finding of	1 2 3 4 5	Q.	Page 77  Yes. Give me a moment.  Yes, I will and for the record again, this is marked  Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, str.  Now, do you remember this investigation after reviewing
1 2 3 4 5 6	page 75 guess it's improper force, improper arrest and other allegations. Do you see there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes.  Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded	1 2 3 4 5	Q. A. Q.	Page 77  Yes. Give me a moment.  Yes, I will and for the record again, this is marked  Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, sir.  Now, do you remember this investigation after reviewing this document, sir?
1 2 3 4 5 6	page 75 guess it's improper force, improper arrest and other allegations. Do you see there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes. Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded or unfounded charge with regard to each of them; is	1 2 3 4 5 6	Q. A. Q. A.	Yes. Give me a moment. Yes, I will and for the record again, this is marked Turner Exhibit 8. Go ahead, sir. All right. Go ahead, sir. Now, do you remember this investigation after reviewing this document, sir? Vaguely, yes.
1 2 3 4 5 6	Page 75 guess it's improper force, improper arrest and other allegations. Do you see there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes. Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded or unfounded charge with regard to each of them; is that right?	1 2 3 4 5	Q. A. Q.	Yes. Give me a moment. Yes, I will and for the record again, this is marked Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, sir.  Now, do you remember this investigation after reviewing this document, sir?  Vaguely, yes.  And in this letter and complaints were made by this
1 2 3 4 5 6 7 8	page 75 guess it's improper force, improper arrest and other allegations. Do you see — there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes.  Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded — or unfounded charge with regard to each of them; is that right?  A. Yes.	1 2 3 4 5 6 7 8	Q. A. Q. A.	Yes. Give me a moment. Yes, I will and for the record again, this is marked Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, str.  Now, do you remember this investigation after reviewing this document, sir?  Vaguely, yes.  And in this letter and complaints were made by this association, the Associated Food & Petroleum Dealers,
1 2 3 4 5 6 7 8 9	guess it's improper force, improper arrest and other allegations. Do you see — there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes.  Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded — or unfounded charge with regard to each of them; is that right?  A. Yes.  Q. In none of these cases were any of these charges	1 2 3 4 5 6 7 8 9	Q. A. Q. A.	Yes. Give me a moment. Yes, I will and for the record again, this is marked Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, sir.  Now, do you remember this investigation after reviewing this document, sir?  Vaguely, yes.  And in this letter and complaints were made by this association, the Associated Food & Petroleum Dealers, Incorporated, about harassment that was going on,
1 2 3 4 5 6 7 8 9	guess it's improper force, improper arrest and other allegations. Do you see — there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes.  Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded — or unfounded charge with regard to each of them; is that right?  A. Yes.  Q. In none of these cases were any of these charges sustained; am I right?	1 2 3 4 5 6 7 8 9 10	Q. A. Q. A.	Yes. Give me a moment. Yes, I will and for the record again, this is marked Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, sir.  Now, do you remember this investigation after reviewing this document, sir?  Vaguely, yes.  And in this letter and complaints were made by this association, the Associated Food & Petroleum Dealers, Incorporated, about harassment that was going on, alleged harassment on the west and northwest side of
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	guess it's improper force, improper arrest and other allegations. Do you see — there's a whole bunch of them listed there. Do you see them there, sir?  A. Yes.  Q. With regard to each one of them, there's a finding of either proper conduct, insufficient evidence, unfounded — or unfounded charge with regard to each of them; is that right?  A. Yes.  Q. In none of these cases were any of these charges sustained; am I right?  A. Correct.  Q. Going now to the second page of this exhibit, this is reports based — findings of the Office of Chief Investigator. Do you recall any such investigations by the OCI?  A. Yeah. Yes.  Q. Okay. And with regard to all of these OCI investigations, the same thing happened, either there was exoneration, charges were not sustained or they were unfounded with the exception of one. Am I right about that?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. A. A. Q. A.	Yes. Give me a moment. Yes, I will and for the record again, this is marked Turner Exhibit 8. Go ahead, sir.  All right. Go ahead, sir.  Now, do you remember this investigation after reviewing this document, sir?  Vaguely, yes.  And in this letter and complaints were made by this association, the Associated Food & Petroleum Dealers, Incorporated, about harassment that was going on, alleged harassment on the west and northwest side of the City of Detroit; am I right about that?  I recall it vaguely, yes.  Do you recall being instructed in any way or admonished in any way by the chief of the department at that time or any other superior about your conduct with regard to retail establishments?  No.  Do you recall anybody telling you anything about these charges or what you should or should not do in connection with them?  I was informed of the allegations, yes.

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### Charles Turner 1/13/2012

21 (Pages 78 to 81)

		Page 78		Page 80
1	A.	I had no reason to. We continued to do what we was	1	A. I'm sure there was.
2		doing, do our inspections and write tickets.	2	MR. GOODMAN: Okay. I want to take a short
3	Q.	Did you see that there were at least a couple tickets	3	break here and we're almost done, but I want to just
4		attached to this particular exhibit that were written	4	check in with my colleague, Ms. James and I'll be back
5		by by vice?	5	with you in a few minutes if I may.
6	A.	Yes, I see this.	6	THE WITNESS: Okay.
7	Q.	Were those tickets written by you?	7	MR, GOODMAN: Is that okay with you?
8	A.	Not to my knowledge.	8	THE WITNESS: That's fine.
9	Q.	Okay. Is that your handwriting on those tickets?	9	MR. GOODMAN: Oh, before we go off the
10	A.	No.	10	record, I would like the record to reflect that the
11	Q.	All right. Thank you.	11	time shown at the bottom of the screen is currently
12		The last exhibit now is Exhibit 9. If you	12	what is it? I can't read the time. Can someone tell
1.3		would, just go to that one. And this is something	13	me what that is?
14		titled Interoffice Memorandum; name of complainant,	14	MR. ASHFORD: I think it says 5:52.
15		Jeffrey Elliott, Junior; involved officers, Sergeant	15	MR. GOODMAN; It says 5:52 on the screen
16		Durelle Cooper, formerly Sergeant Charles Turner,	16	which is being recorded here. You probably can't see
17		Investigator Herman Williams and Police Officer Crystal	17	that, Mr. Turner, but in Detroit, the time actually is
18		Hunter. Do you remember that?	18	4:52. So that consistently, the times that are shown
19	A.	No, I don't.	19	on the screen here are an hour later than the times
20	Q.	Do you have the document in front of you? Do you see	20	than the actual time. But that's just so that we have
21	-	it?	21	an accurate time.
22	A.	Yes, I see the document, but I don't recall a Jeffrey	22	What time do you show on your watch there?
23		Elliott.	23	THE WITNESS: 2:53.
24	Q.	Do you see that according to this document, you were	24	MR. GOODMAN: 2:53. Okay. Thank you. We'll
25		assigned to the domestic violence unit?	25	take a short break and I'll be back with you in just a
		Page 79		Page 81
1	A	Page 79	1	Page 81
1.	A. O.	Yes.	1 2	minute. Okay?
2	Q.	Yes.  And were you assigned to the domestic violence unit?	2	minute. Okay? THE WITNESS: All right.
3	Q, A.	Yes.  And were you assigned to the domestic violence unit?  Yes, temporarily.	2	minute. Okay? THE WITNESS: All right. MR. GOODMAN: Thank you.
2	Q.	Yes.  And were you assigned to the domestic violence unit?  Yes, temporarily.  When was that? When you say temporarily, what period	2 3 4	minute. Okay? THE WITNESS: All right. MR. GOODMAN: Thank you. THE WITNESS: Okäy. Thanks.
2 3 4	Q, A. Q.	Yes.  And were you assigned to the domestic violence unit?  Yes, temporarily.  When was that? When you say temporarily, what period of time was that?	2	minute. Okay?  THE WITNESS: All right.  MR. GOODMAN: Thank you.  THE WITNESS: Okay. Thanks.  (Short break from 4:53 to 4:54)
2 3 4 5	Q, A. Q.	Yes. And were you assigned to the domestic violence unit? Yes, temporarily. When was that? When you say temporarily, what period of time was that? I was suspended and then they brought us back. They	2 3 4 5 6	minute. Okay?  THE WITNESS: All right.  MR. GOODMAN: Thank you.  THE WITNESS: Okay. Thanks.  (Short break from 4:53 to 4:54)  MR. GOODMAN: Let's go back on the record
2 3 4 5 6	Q, A. Q.	Yes.  And were you assigned to the domestic violence unit?  Yes, temporarily.  When was that? When you say temporarily, what period of time was that?	2 3 4 5	minute. Okay?  THE WITNESS: All right.  MR. GOODMAN: Thank you.  THE WITNESS: Okay. Thanks.  (Short break from 4:53 to 4:54)  MR. GOODMAN: Let's go back on the record here. Mr. Turner, I want to thank you very much for
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#### 2:10-cv-10675-VAR-MKM Doc # 84-27 Filed 04/17/12 Pg 23 of 23 Pg ID 2221

Charles Turner 1/13/2012

22 (Page 82)

Page 82

1	CERTIFICATE OF NOTARY
2	
3	STATE OF MICHIGAN )
4	) SS
5	COUNTY OF MACOMB )
6	I, Gail R. McLeod, Certified Shorthand Reporter, a
7	Notary Public in and for the above county and state, do
8	hereby certify that the above deposition was taken before me
9	at the time and place hereinbefore set forth; that the
10	witness was by me first duly sworn to testify to the truth,
11	and nothing but the truth, that the foregoing questions asked
12	and answers made by the witness were duly recorded by me
1.3	stenographically and reduced to computer transcription; that
14	this is a true, full and correct transcript of my
1.5	stenographic notes so taken; and that I am not related to,
16	nor of counsel to either party nor interested in the event of
1.7	this cause.
L8	
L 9	Gail R. M. Yrod
20	Gail R. McLeod, CSR 2901
21	Notary Public,
22	Macomb County, Michigan
23	
24	My Commission expires: September 23, 2017

## EXHIBIT 27

#### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 2 of 29 Pg ID 2223

#### Officer Sheron Johnson 10/28/2011

1	IN THE UNITED STATES DISTRICT COURT
	FOR THE EASTERN DISTRICT OF MICHIGAN
2	SOUTHERN DIVISION
3	IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER,
	ANGIE WONG, JAMES WASHINGTON, NATHANIEL
4	PRICE, JEROME PRICE, STEPHANIE HOLLANDER,
	JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE,
5	DARLENE HELLENBERG, THOMAS MAHLER, and
_	LAURA MAHLER,
6	HAORA PAHLIER,
U	Plaintiffs,
7	
′	
0	Magistrate Judge Mona K. Mazoub
- 8 - 9	-vs- No. 10-v-10675
9	CITY OF DETROIT, a municipal
10	corporation, Lieutenant VICKI YOST
10	a Detroit police officer, in her
	individual capacity, Sergeant DANTEL
11	BUGLO, a Detroit police officer, in his
	individual capacity, Sergeant G. MCWHORTER,
12	a Detroit police office in his/her
	individual capacity, Sergeant A. POTTS,
13	a Detroit police officer in his/her
	individual capacity, Sergeont CHARLES TURNER,
14	a Detroit police officer in his individual
	capacity, Officer M. BROWN, a Detroit police
1-5-	officer, in his/her adividual capacity, Officer
	B. COLE, a petroit police officer, in his/her
16	individual capacity, Officer TYRONE GRAY, a
	Detroit police officer, in his individual
17	capacity, Officer SHERON JOHNSON, a Detroit
	police officer, in her individual capacity,
18	Officer K. SINGLETON, a Detroit police officer,
	in his her individual capacity, and UNNAMED
19	DETROIT POLICE OFFICERS, in their individual
	capacities,
20	
	Defendants.
21	/
22	
	DEPOSITION OF POLICE OFFICER SHERON JOHNSON
23	
	FRIDAY, OCTOBER 28, 2011
24	
25	



#### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 3 of 29 Pg ID 2224

## Officer Sheron Johnson 10/28/2011

2 (Pages 2 to 5)

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		Page 2		Page 4
	1	·	-	Datusit Miskinsu
	2	Deposition of POLICE OFFICER SHERON JOHNSON,	1 2	Detroit, Michigan
	3	taken in the above-entitled cause before Denise Moorfoot,	Ì	Friday, October 28, 2011
	4	(CSR-2275), Court Reporter and Notary Public for the County	3	10:45 a.m.
	5 6	of Oakland, State of Michigan, at 660 Woodward, Suite 1650, Detroit, Michigan, on Friday, October 28, 2011, commencing at	4	
	7	or about the hour of 10:45 a.m.	5	SHERON JOHNSON
	8	APPEARANCES:	6	was thereupon called as a witness herein and, after
	9	MR. DANIEL S. KOROBKIN	7	having been first duly sworn to tell the truth, was
	10	American Civil Liberties Union Fund of Michigan	8	examined and testified as follows:
		2966 Woodward Avenue	9	
	11	Detroit, Michigan 48201	10	EXAMINATION
	12.	-and- MS. KATHRYN BRUNER JAMES	11	BY MS. JAMES:
		Goodman & Hurwitz, P.C.	12	Q Good morning, Officer Johnson.
	13	1394 E. Jefferson Avenue	13	A Good morning.
	14	Detroit, Michigan 48207	14	Q My name is Kathryn James. This is my colleague, Dan
	15	Appearing on behalf of the Plaintiffs.  MR. JERRY ASHFORD	15	Korobkin. I represent eight people who were ticketed on
		City of Detroit Law Department	16	May 31st, 2008, at a raid at the Contemporary Art
	16	660 Woodward Avenue	17	Institute of Detroit as well as four people who were not
	17	1650 First National Building Detroit, Michigan 48226	18	present at the raid but whose cars were seized that
	~ ,	Appearing on behalf of the Defendants.	19	evening,
	18		20	I'm going to be asking you a number of questions
	19		21	about that incident. Prior to that, I'll be asking you
	20 21	: :	22	just a little bit about your background and your training
	22	<i>'</i>	23	and various duties in the Detroit Police Department, but
	23			<u> </u>
	24		24 25	first I would like to ask you if you have ever been
-	25		2.5	deposed before?
	25	Page 3	2.5	Page 5
•		Page 3		Page 5
	1 2	Page 3	1	Page 5 A Yes, I have.
	1	TABLE OF CONTENTS	1 2	Page 5  A Yes, I have.  Q Do you know approximately how many times?
•	1 2 3	TABLE OF CONTENTS -WIFNESS - PAGE	1 2 3	Page 5  A Yes, I have.  Q Do you know approximately how many times?  A Probably more than three, less than five.
	1 2 3 4	TABLE OF CONTENTS  -WIFNESS	1 2 3	Page 5  A Yes, I have. Q Do you know approximately how many times? A Probably more than three, less than five. Q Okay. So since you have been through this process before,
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	1 2 3 4	TABLE OF CONTENTS  -WIFNESS - PAGE  POLICE OFFICER SHERON JOHNSON  Examination by Ms. James 4	1 2 3 4 5 6	Page 5  A Yes, I have.  Q Do you know approximately how many times?  A Probably more than three, less than five.  Q Okay. So since you have been through this process before, you have a sense of sort of the ground rules, but I'll repeat a few just to refresh your memory.
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## Officer Sheron Johnson 10/28/2011

3 (Pages 6 to 9)

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	Page 6			Page 8
1	a few objections throughout the course of the deposition.	1	Α	1987.
2	Unless he instructs you not to answer a question, then	2	Q	Have you obtained any college degrees or certifications?
3	what you should do is pause, let him finish his objection,	3	•	No. I attended Hillsdale College.
4	but go ahead and answer the question when he's completed.	4	Q	What years did you attend Hillsdale?
5	Does that make sense to you?	5	A	'87-89.
6	A Yes, it does.	6	Q	And did you declare a major while at Hillsdale?
7	Q Okay, I'm going to start with marking Exhibit No. 1.	7	A	No.
8	(WHEREUPON, Deposition Exhibit 1	8	Q	So you were taking sort of your general requirement
9	was marked for identification.)	9	•	classes there?
10	BY MS. JAMES:	10		Correct.
11	Q This is the Third Notice of Taking Deposition Duces Tecum	11		Have you taken any college classes since attending
12	of Officer Sheron Johnson, and I'll hand you a copy, and	12		Hillsdale?
13	I'd like you to take a look at the document, and I'm going	13	Α	Yes.
14	to ask you whether you have seen it before today?	14	Q	And where?
15	A No, I haven't.	15	Ā	WC3.
16	Q And were you asked to bring anything with you today?	16	Q	Okay. What kind of classes have you taken there?
17	A No, I was not.	17	_	Criminal justice.
18	MS. JAMES: Okay. And just for the record, I'm	18	Q	Okay. But you haven't completed a degree or
19	going to reserve the right to continue this deposition if	19	-	certification?
20	the defendants subsequently produce any discovery that was	20		No.
21	requested in the duces tecum portion. I'll take that	21	Q	And, I'm sorry, what time period did you go to WC3?
22	back.	22	À	I don't know. I went off and on.
23	BY MS. JAMES:	23	Q	Several years ago?
24	Q Did you review any documents before today's deposition?	24	A	Yeah. I took it class by class.
25	A Yes.	25	Q	What's your date of hire at the Detroit Police Department?
			~	··· y - ···
·				
1	Page 7			Page 9
1 2	Page 7 Q And what did you review?	1	A	Page 9 April 27th, 1998. 1998.
2	Page 7  Q And what did you review?  A CRISNET report, activity log, and search warrant.	1 2	A Q	Page 9  April 27th, 1998. 1998.  All right. Now, between high school and working for the
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### Officer Sheron Johnson 10/28/2011

4 (Pages 10 to 13)

	- (5-2		,
	Page 10		Page 12
1	'01 to '06, vice unit from '06 to '09, and currently at	1	wasn't sure whether you meant that you had monthly
2	the Northeast District from '09 to present,	2	training throughout your career at the police department
3	Q Thank you. Have you ever applied for a promotion that you	3	or just in your most recent unit.
4	were denied?	4	A It all depends on what unit I have and what's the
5	A No.	5	requirements for them.
6	Q All right. I'm going to hand you the next exhibit that	6	Q Okay.
7	will be marked as No. 2.	7	A Since I have been at the Northeast District, I have
8	(WHEREUPON, Deposition Exhibit 2	8	training once a month, every Tuesday.
9	was marked for identification.)	9	Q I see. Okay. Do you recall, when you were assigned to
10	BY MS. JAMES:	10	vice enforcement, did you have any regular periodic
11	Q And this document, for the record, is a five-page	11	training in that unit?
12	document. On page 1 of 5 it says "Michigan Commission on	12	A Department training?
13	Law Enforcement Standards, Individual Employment History,"	13	
14	and the first thing I'll ask you is I'll give you a	14	
15	moment to review it, but is this a document that you're	15	
16	familiar with? Have you ever seen it before?	16	Q Either one. Department-wide, specific to that unit, if
17	A I've never seen it before.	1	there was any regular periodic training?
		17	A Well, I wouldn't say periodic, but we had regular
18	Q Okay. I'll give you a little bit longer to review it	18	training.
19	again, and I'd like you to take a look at this document	19	Q But it wasn't like what you have now where it was the
20	and see if it appears, based on your memory as you sit	20	first Tuesday of every month?
21	here today, see if it appears to you to list all of the	21	A Well, that's required training, but when I was at the vice
22	training that you have received through the Detroit Police	22	unit, we had continuing training.
23	Department?	23	Q And was that continuing training on a regularly-set basis?
24	A Every page or just the first page?	24	A No.
25	Q The entire packet, all five pages.	25	Q Okay. It was sort of as Strike that.
\		<del> </del>	
\	Page 11		Page 13
1	Page 11	1	Page 13
1 2	Page 11  A I can say that it's probably the training that I received,	1 2	Page 13 How often would that training occur?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Page 11  A I can say that it's probably the training that I received, yeah.  Q Is there anything that stands out in your mind, as you review this, is there anything that appears to be missing to you?  MR. ASHFORD: Objection to the form.  THE WITNESS: I don't know. I don't know what this form is, so I don't know if something is missing.  BY MS. JAMES:  Q Okay. Well, all I'm asking is, is there any specific training that you can think of, as you sit here now, that is not on this list?  A I don't know. I mean, I have training at my district once a month. I don't see that on here.  Q What kind of training do you have once a month?  A Whatever training that the department requires for us to have.  Q Okay. So it varies from month to month?  A Yes.  Q And does it happen on a certain day of the month?  A First Tuesday.  Q First Tuesday. And has that just been while you were at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	How often would that training occur?  A Could be daily.  Q Oh, it could be daily?  A Yes.  Q For the period while you were on vice enforcement, can you give me an estimate of approximately how many times you attended some kind of formal training session?  MR. ASHFORD: Objection as to form.  THE WITNESS: No.  BY MS. JAMES:  Q Have you received any training that's specific to the Detroit city ordinance that authorizes ticketing people for loitering in a place of illegal occupation?  A I don't understand that question.  Q You're familiar with the ordinance that authorizes ticketing for loitering in a place of illegal occupation; is that correct?  A Yes.  Q How did you become familiar with it?  A By our general orders.  Q Okay. And  A And the City of Detroit Municipal Code, M Code.

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## Officer Sheron Johnson 10/28/2011

5 (Pages 14 to 17)

		· 2	1	·
		Page 14		Page 16
1	Q	Oh, is that how it's distributed to you from the City? Do	1	A Well, I would say it would be fair to say, if any language
2		they send it to you electronically?	2	has been changed in the normal procedure that we do on a
3		No. We're given a hard copy.	3	day-to-day basis, then that form is presented to us by our
4	Q	I see. Okay. And along with that hard copy, is there any	4	supervisors, and we're instructed on what the changes are,
5		kind of discussion that takes place or description that	5	if any.
6		you receive?	6	Q So has anything like what you just described occurred
7	Α	If it's anything major that has changed, someone from the	7	since 1999 regarding the nuisance abatement statute?
8		City Prosecutor's Office will come in and give us	8	A I'm not
9		training.	9	MR. ASHFORD: You mean with regard to her?
10	Q	As you sit here today, do you remember ever receiving such	10	MS. JAMES: Yeah.
11		training from the prosecutor's office on this particular	11	MR. ASHFORD: Okay,
12		ordinance?	12	THE WITNESS: Well, I don't understand what you
13	A	,	13	mean by the nuisance and abatement. Are you speaking of
14	Q		14	what my role is as far as dealing with the form? Because
15 16	A		15	my role with the nuisance and abatement form isn't the
17	Q	And have you ever received any specific training on the Michigan nuisance abatement statute?	16	same as another officer so
18	٨	What do you mean by training?	17 18	BY MS. JAMES:
19	Q		19	Q Right. I'm only asking you to testify as to what you have ever experienced or what you know. I'm not asking about
20	V	abatement statute?	20	anybody else.
21	Α	Yes.	21	A Well, that question that you're asking me about the
22	Q	And how did you become familiar with it?	22	nuisance and abatement, do you have a copy of the form so
23	À	From doing OT operations and undercover blind pig.	23	I could see it?
24	Q	What does OT mean?	24	Q I don't have a copy of the form.
25	A	Prostitution.	25	A Well, I can't answer that question because
		Page 15	<b> </b>	Page 17
1	_			_
1 2	Q	So when you did those operations, did you receive a copy of the statute? I guess be a little more specific about	1	MR. ASHFORD: So your question is what? Has she
3		how you became familiar with it.	2 3	ever been Has anyone ever discussed nuisance abatement with her during the time she has been in the police
4	Ā	Just in training, when I went to undercover training for	4	department?
5		prostitution operation.	5	MS. JAMES: I want to know what kind of training
6	Q		6	she has had regarding the nuisance abatement statute and
7	•	occur?	7	how you understand to apply it.
8	A	My first training for that was in 1999.	8	MR. ASHFORD: But you asked her about meetings
9	Q	and the second s	9	and discussions. That's not what you asked. So what's
10		1999?	10	your question?
11	Α	I have been doing it since 1999 to present.	11	BY MS. JAMES:
12	Q	Okay. So the answer is, yes, you have received additional	12	Q I want to know what kind of training you have received
13		training on nuisance abatement statute since then?	13	regarding the nuisance abatement statute and how you
14	A	I don't understand what you mean by training. Once the	14	understand it's applied.
15		information is given, we have the paperwork with us, all	15	MR. ASHFORD: Objection as to form,
16		the information is on our nuisance abatement form that we	16	THE WITNESS: I would like to see the form. I
17		give to the complainant I mean to the defendant.	17	would like to see what you're asking me to answer that
18	Q	I'm talking about something more than just a written form.	18	question as far as the nuisance and abatement form.
19		I'm talking about any session that you have any I	19	BY MS. JAMES:
0.0		don't know if the word session is confusing, so let me	20	Q Are you familiar with the nuisance abatement statute?
20		restart the question.	21	A Yes, I am.
21		I'm not talking about weitten famme Vin	0.0	O Olmy And how did you have not 0 to 10 to 14 to
21 22		I'm not talking about written forms, I'm	22	Q Okay. And how did you become familiar with it?
21 22 23		talking about any discussions or meetings that you have	23	A From training from my supervisors.
21 22				·

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## Officer Sheron Johnson 10/28/2011

### 6 (Pages 18 to 21)

	Page 18		Page 20
1	last eleven years.	1	it's police officers.
2	Q What kind of training did you receive from your	2	Q And did you receive any written materials in that
3	supervisors that you recall?	3	training? Were you given any documents that described the
4	A The nuisance and abatement law, if it has changed from the	4	training?
5	first time that I saw the paperwork and applied it, if	5	A Yes,
6	there was any changes to it, then, again, the paperwork	6	Q Do you remember what kind of documents those were? Can
7	would be given to us, and we would be told of the changes	7	you describe them for me?
8	with it.	8	A Are you asking me required training? Because it's
9	Q As you sit here today, do you recall having been told that	9	different in the unit that I work at, you know. I go
10	it has changed and those changes being described to you?	10	through day-to-day training. So are you asking for is
11	A No.	11	it departmental forms or something from the city, or are
12	Q Have you received any training that's specific to blind	12	you just saying just in general practice of the unit that
13	pig raids?	13	I work for?
14	A Yes.	14	Q In general practice, is there any time where you have
15	Q And when did that training occur?	15	received some records in the context that you would call
16	A I have had many trainings. I don't know. I don't know	16	training on a blind pig raid?
17	the exact dates.	17	A Yes.
1.8	Q Okay. Can you remember any of them, a rough time period?	18	Q And what kind of records did you receive?
19	A I'll say probably four years ago.	19	A Some from the Michigan Liquor License Commission.
20	Q Okay. Do you remember who gave that training?	20	Q Okay,
21	A It's not a specific training class. Whenever we go out	21	A Our narcotic vice codes.
22	and do an operation, we do the training before we go out	22	Q Okay. And when you say codes, are you talking about City
23	and do the operation.	23	of Detroit ordinances or Detroit Police - I guess what do
24	Q So on-the-job training?	24	you mean? What is code?
25	A Let me take away training. I wouldn't necessarily call it	25	A Both. It's called SOP, standard operation procedures.
	Page 19		Page 21
1	Page 19 training. It's just, when I go out and do a UC operation,	1	Page 21 Q Okay. And was all of this training on blind pig raids
1 2	_	1 2	
	training. It's just, when I go out and do a UC operation, we go over details as far as our safety factors, what we have to do, so I wouldn't even say it's training.	•	Q Okay. And was all of this training on blind pig raids
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# Officer Sheron Johnson 10/28/2011

### 7 (Pages 22 to 25)

		Page 22			Page 24
1	Α	At the narcotic and vice unit, it was required for me to	1		own words, what's your understanding of the mission of
2		be at training once a month.	2		vice enforcement? And what I mean by that is what does
3	Q	Okay. Once a month while you were at narco?	3		this unit do that's different from other units?
4	Α	Narcotics.	4	Á	We work pretty much in a ninety-five percent undercover
5	Q	I'm sorry.	5		capacity,
6	Α	And the vice unit.	-6	Q	
7	Q	Narcotics and vice unit. I'm sorry.	7	A	We do liquor license. We go into the adult entertainment
8		Okay. And when is the last time you have	8		establishment, check for licenses. We do undercover buys.
9		received specific training, if any, required training on	9		We deal with undercover minors, do prostitution,
10		the use of force?	10		undercover prostitution, go into blind pigs or after-hour
11	Α	I don't know when the last time I received training on it	11		establishments undercover. Uniform capacity, we do the
12		was. Like I said, at our district, it's once a month that	12		execution of search warrants.
13		we have training, so I don't know when the last time was	13	Q	For the period of time that you were at vice enforcement,
14		that I was given the use of force.	14		who was your direct supervisor?
15	Q	Since you have been with the Northeast District, is the	15	Α	During the time of me being there?
16		use of force one of the subjects that you have received	16	Q	Yes,
17		training on in your monthly training?	17	A	Lieutenant Well, she was a lieutenant. She's a
18	A	,	18		commander now, Debra Fair.
19	Q	And paperwork you said?	19	Q	I'm sorry. What was her name?
20	A		20	Α	Debra, D-E-B-R-A, Fair.
21	Q	I have also heard someone else mention an annual	21	Q	•
22		forty-hour block of training. Do you know, do you receive	22	A	Sergeant Charles Turner, Sergeant Daniel Buglo, and
23		a forty-hour block of annual training?	23		Lieutenant Vicki Yost.
24	A	Yes. Every year between December 3rd through December 6th	24	Q	So is it fair to say, depending on who was on duty on any
25		or 7th. I go every year,	25		given day, any one of these people might be your direct
			<del></del>		
		Page 23			Page 25
1	Q	Okay. And where does that training occur?	1		Page 25 supervisor?
2	Q A	Okay. And where does that training occur? Our academy, Detroit Police Academy.	2	A	supervisor? Correct.
2 3	_	Okay. And where does that training occur? Our academy, Detroit Police Academy. And is it your understanding that all Detroit police	2	A Q	supervisor?  Correct.  Did you have a partner while you were on vice enforcement?
2 3 4	A	Okay. And where does that training occur?  Our academy, Detroit Police Academy.  And is it your understanding that all Detroit police  officers — I understand they don't take it all at the	2 3 4	A Q A	supervisor?  Correct.  Did you have a partner while you were on vice enforcement?  No.
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# Officer Sheron Johnson 10/28/2011

8 (Pages 26 to 29)

	Page 26		Page 28
1	a few on there.	1	search warrant authorizes Strike that. We'll deal with
2	Q To your knowledge, is any consideration given to the	2	that later.
3	number of arrests or tickets that an officer issues?	3	I'm going to hand you Actually, I'll take
4	MR. ASHFORD: Objection as to form.	4	this back. I'm sorry. I've just left it hanging there.
5	THE WITNESS: I have never seen that. I know	5 A	A That whole stack is for me?
6	performance is one of them, but I don't know if it deals	6 (	Yes. We might skip some of them. We might skip some of
7	with I think it's just all-around performance.	7	them.
8	BY MS. JAMES;	8	I think you already have a copy of this item,
9	Q Okay. How many times have you participated in a blind pig	9	but I'll hand you what is being marked as Exhibit No. 3,
10	raid roughly? Or give me a ballpark if you can,	10	which, for the record, the top of the page says "Nuisance
11	A Over thirty.	11	Abatement Statute." About halfway down the front page it
12	Q Okay. And can you describe to me in your own words what	12	says "Raid Execution/Blind Pig." It's a two-page document
13	your understanding of the purpose of a blind pig raid is?	13	or a one-page document printed on both sides of one
14	A What's the purpose?	14	page.
15	Q Yeah,	15	(WHEREUPON, Deposition Exhibit 3
16	A Or what is a blind pig?	16	was marked for identification.)
17	Q No. What's the purpose of the raid? Why do you raid a	17 F	BY MS. JAMES:
18	blind pig?	18 (	Have you seen this document before today?
19	A Because some establishments don't have a license to	19 /	A No.
20	operate, and the after-hour factor, the time factor.	20 (	Okay. But you did see this document before we began our
21	Q I apologize. I'm asking a slightly different question.	21	deposition; is that right?
22	What I meant to ask was what are you seeking to accomplish	22 A	Yes.
23	in the raid? Do you know what I mean?	23 (	Okay. Have you had an opportunity to review this
24	A Well, it all depends on which type of operation we're	24	document?
25	doing.	25	Yes.
	Page 27		Page 29
1	•	1 (	
1 2	Q Let's narrow our focus a little to blind pig raids where	1 (	Okay. After having reviewed it, does this document more
	Q Let's narrow our focus a little to blind pig raids where the activity at issue is an establishment that's		Okay. After having reviewed it, does this document more or less reflect the Detroit Police Department policy
2	Q Let's narrow our focus a little to blind pig raids where	2	Okay. After having reviewed it, does this document more or less reflect the Detroit Police Department policy regarding blind pig raids?
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# Officer Sheron Johnson 10/28/2011

9 (Pages 30 to 33)

		Page 30		Page 32
1.	Q	Let's start with when you say visual. Do you mean, you	1	some point that civilians that you encounter are going to
2	_	know, sitting outside a location and watching the activity	2	be charged with a crime?
3		outside?	3	MR. ASHFORD: Objection as to form.
4	Α	Yes.	4	THE WITNESS: I kind of know where you're going
5	Q	Okay. So we'll start with that. How many times have you	5	with it, but are you asking is it totally up to the
6		surveilled a blind pig location from the outside that you	6	supervisor whether that person is going to be charged or
7		recall?	7	not?
8	A	I'll say more than five times.	8	BY MS, JAMES:
9	Q	And as far as going in, how many times have you surveilled	9	Q Yes.
10		a blind pig location, going in undercover?	10	A If they committed a crime or I'm not sure.
11	Α	I'll say, again, more than five times.	11	Q Okay. I'll back up a little.
12	Q	And in your experience having surveilled blind pig	12	In the blind pig operations that you have been
13		locations, do you normally go to the same location more	13	involved in, is it fair to say that at some point somebody
14		than once?	14	gets charged with a crime?
15 .	Α	Yes.	15	A I would say it would be fair to say, if you're inside of
16	Q	How many times would you normally go in as an undercover	16	that location, you're charged.
17		officer?	17	Q Okay. And how is that decision made?
18	Α	Well, I'll try to get activity more than three	18	A Because you're inside of the location of where the search
19		different dates of activity.	19	warrant is being executed.
20	Q	Have you ever been the OIC in charge of a blind pig raid?	20	Q But who makes that decision?
21	A	No.	21	A It's in the nuisance and abatement.
22	Q	, 0	22	Q But at some point an officer has to make a decision to
23		lieutenants?	23	pull out a ticket pad and fill it out and issue it to
24		Yes,	24	someone. I'm asking who makes that decision when it
25	Q	Have you ever been involved in a blind pig operation where	25	actually happens?
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***************************************		Page 31		Page 33
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q Q A Q	the OIC has been a police officer and not a sergeant or lieutenant?  No.  Okay. In your experience in blind pig operations — and when I use the word "operation," I'm meaning the times where you have been involved from beginning to end in some aspect of the surveillance through the raid. In the times where you have been involved in a blind pig operation, who from the team that you work with typically makes the decision regarding which civilians are going to be charged with an offense?  MR. ASHFORD: Objection, no foundation.  Objection to form.  THE WITNESS: You said whose decision is it?  MS. JAMES:  Yes.  I'm not sure what you mean.  When you have been involved in a blind pig operation, is it usually left up to the discretion of any officer to charge a civilian with a crime?  MR. ASHFORD: Objection as to form.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. ASHFORD: Objection as to form. Objection, no foundation.  THE WITNESS: I'm just not clear on  BY MS. JAMES:  Q Okay. Have you ever ticketed someone for a crime following a blind pig raid?  A Yes.  Q In the instances when you have done that, has it been up to your own discretion, or has it been upon the instruction of someone else?  A For the individual that I made contact with?  Q Yeah.  A That's my decision.  Q All right. And so  A But I would like to say my name is going to be on that ticket because that's the person I had contact with, but under the nuisance and abatement, under the by them being in that location, they're going to be ticketed anyway, but as far as my name going on their ticket, that's the person that I had contact with.  Q So would it be fair to say that you wouldn't sign a ticket

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#### Officer Sheron Johnson 10/28/2011

10 (Pages 34 to 37)

	10 (10090)	,	55 5.7
	Page 34		Page 36
1	with that person?	1	A Correct.
2	A Well, what do you mean by "contact"?	2	Q And at the end of the operation, it's thrown away?
3	Q Personally observe them in any way.	3	A I can't answer that. I don't know if our supervisor files
4	A Observe them inside the location?	4	it or not, but I have never been told that that's
5	Q Yeah.	5	something that had to be filed.
6	A No, I wouldn't issue a ticket if I didn't observe them in	6	Q I see. Okay. Now let's focus on the events leading up to
7	the location,	7	the raid at the Contemporary Art Institute
8	Q Okay. In your experience in a blind pig raid, is there	8	A Okay.
9	ever a written raid plan?	9	Q of Detroit. And just for the sake of brevity, from now
10	A Yes,	10	on I'm going to call it the CAID. Okay?
11	Q Okay. And is there a written raid plan for every blind	11	A Okay.
12	pig raid or only sometimes?	12	Q Can you tell me how the CAID first came to your attention,
13	A For every.	13	if you recall?
14		14	A Lieutenant Yost.
15		15	
16		16	Q Okay. And what did Lieutenant Yost tell you about the CAID?
17			
18	A Our standard operation, who is going to be in charge of	17	A That she was going to do surveillance on the location.
19	what area, who is going to do what, just pretty much what	18	Q Do you know whether there were any complaints that were
20	our purpose is, what I'll be doing for that day.  Q And do you know where that record is filed?	19	made to the Detroit Police Department about the CAID?
21	A It's not a record. It's just a form that's completed,	20	A That I seen for myself? No.
22	- · · · · · · · · · · · · · · · · · · ·	21	Q Okay. Has anyone ever told you there were complaints made
23	done by the supervisor, and it's trashed at the end of the	2.2	about it?
	day. It's not a recorded piece of paperwork. It's just	23	A Just through Lieutenant Yost.
24	<ul> <li>we have different people that work with us, so some of the people may not know me, so it's just to show what's</li> </ul>	24	Q Okay. And she didn't happen to tell you whether she received those complaints by phone or in writing, did she?
25	the people may not know the, so it's just to show what's	25	received those complaints by phone or in writing did she?
			Too Too those companies by phone of in writing, the site:
	Page 35		Page 37
1		1	
1 2	Page 35	1 2	Page 37 A I'm not sure.
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11 (Pages 38 to 41)

		Page 38			Page 40
1	Q	And where would it be documented?	1		of duties for that day.
2	A	It would be on the activity log form.	2	0	And were you verbally given those assignments, or were
3	Q		3		there any written instructions given to you?
4		CAID, if you recall?	4		Yes, verbal.
5	A	Lieutenant Vicki Yost,	5	Q	So if you wanted to refresh your memory about this
6	Q	And I have heard two different terms before. Was she also	6		particular raid, are there any records that you could look
7		the raid commander?	7		at to learn what other people were assigned to, or was it
8	Α	Yes.	8		all done verbally to your knowledge?
9	Q	Okay. Who was the deputy raid commander, if you recall?	9		MR. ASHFORD: Objection, calls for speculation.
10	A	What is that?	10		THE WITNESS: Well, I would say each raid can
11	·Q	Oh, okay. Have you ever heard the term "deputy raid	11		start out I could be assigned to one thing, but however
12		commander" before?	12		the raid presents itself, I'll be moved to do something
13	A	Yes, but not on that day.	13		else or I'll take I mean, I don't have a set thing that
14	Q	• •	14		I do. I do the paperwork, so I normally will do the
15	Α	S S	15		paperwork but
16	Q	•	16	BY	MS. JAMES:
17	A	1	17	Q	And what kind of paperwork do you do?
18	Q	-	18	A	Paper processing, whatever paperwork is needed to be done
19	Α		19		at the location,
20	Q	-	20	Q	The ticket processing?
21	A	5	21	A	Ticket processing, paperwork filled out.
22	Q	Okay.	22	Q	What paperwork is filled out in addition to tickets?
23	A		23	A	The misance and abatement form, forfeiture form.
24	Q	Okay. And just so I have a better understanding of this	24	Q	Any other paperwork that you can think of?
25		terminology I apologize is the term "deputy raid	25	A	Whatever paperwork is there. It could be evidence tags,
	~~~~~				
		Page 39			Page 41
1		Page 39 commander" just reserved for certain types of operations?	1		Page 41 anything.
1 2	A	_	1 2	Q	•
	A	commander" just reserved for certain types of operations?	i .		anything.
2	A	commander" just reserved for certain types of operations?  No. It's for our operation, but we use I don't use	2	Q	anything Okay.
2	A	commander" just reserved for certain types of operations?  No. It's for our operation, but we use I don't use deputy. We just use second in charge. If anything was to	2	Q A	anything. Okay. Forfeiture money.
2 3 4		commander" just reserved for certain types of operations?  No. It's for our operation, but we use I don't use deputy. We just use second in charge. If anything was to happen to Lieutenant Yost, then Sergeant Turner and Sergeant Charles Sergeant Buglo would be second in command. I use second in command.	2 3 4	Q A Q	anything. Okay. Forfeiture money. Are there any documents that you recall Strike that.
2 3 4 5		commander" just reserved for certain types of operations?  No. It's for our operation, but we use I don't use deputy. We just use second in charge. If anything was to happen to Lieutenant Yost, then Sergeant Turner and Sergeant Charles Sergeant Buglo would be second in	2 3 4 5	Q A Q	Are there any documents that you recall — Strike that.  Were you present at the briefing before this
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q	commander" just reserved for certain types of operations?  No. It's for our operation, but we use — I don't use deputy. We just use second in charge. If anything was to happen to Lieutenant Yost, then Sergeant Turner and Sergeant Charles — Sergeant Buglo would be second in command. I use second in command.  I see. All right. I'm going to actually have you look at this document again, the one that has "Nuisance Abatement Statute" across the top, but I'm going to have you flip to the second part, the second page, and there's a list numbered one through nine, and the description above refers to them as personnel tasks. Does this list of nine tasks look familiar to you?  No.  Okay. For the CAID raid, do you recall whether there were any — How do I say this? In terms of vice squad participation in the CAID raid, what do you recall vice squad members — what were their assignments in this raid? What were they to do?  I don't know.  What were you assigned to do?  First, I was assigned to outside security until the location was breached. Once it was breached, I was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A Q A Q A Q	Okay.  Forfeiture money.  Are there any documents that you recall — Strike that.  Were you present at the briefing before this raid?  Yes.  Okay. And where did that occur, if you recall?  The not sure on that date where we briefed. We have about four locations that we go to.  Okay. Do you recall whether there was a person who kind of ran the briefing or was in charge of the briefing?  Well, I will say that our briefing, we have two different briefings.  Okay.  So whenever we are in charge of executing a warrant, we're briefed first, and that was through Lieutenant Yost.  When you say "we," do you mean vice enforcement?  Vice enforcement, yes.  So do you remember, for this particular raid, do you remember the vice enforcement briefing?  Yes. That was at our base.  And do you recall whether someone ran that briefing?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	commander" just reserved for certain types of operations?  No. It's for our operation, but we use — I don't use deputy. We just use second in charge. If anything was to happen to Lieutenant Yost, then Sergeant Turner and Sergeant Charles — Sergeant Buglo would be second in command. I use second in command.  I see. All right. I'm going to actually have you look at this document again, the one that has "Nuisance Abatement Statute" across the top, but I'm going to have you flip to the second part, the second page, and there's a list numbered one through nine, and the description above refers to them as personnel tasks. Does this list of nine tasks look familiar to you?  No.  Okay. For the CAID raid, do you recall whether there were any — How do I say this? In terms of vice squad participation in the CAID raid, what do you recall vice squad members — what were their assignments in this raid?  What were they to do?  I don't know.  What were you assigned to outside security until the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q A A A A A A A A A A A A A A A	Okay.  Forfeiture money.  Are there any documents that you recall — Strike that.  Were you present at the briefing before this raid?  Yes.  Okay. And where did that occur, if you recall?  The not sure on that date where we briefed. We have about four locations that we go to.  Okay. Do you recall whether there was a person who kind of ran the briefing or was in charge of the briefing?  Well, I will say that our briefing, we have two different briefings.  Okay.  So whenever we are in charge of executing a warrant, we're briefed first, and that was through Lieutenant Yost.  When you say "we," do you mean vice enforcement?  Vice enforcement, yes.  So do you remember, for this particular raid, do you remember the vice enforcement briefing?  Yes. That was at our base.

12 (Pages 42 to 45)

	Page 42		Page 44
1	briefing?		A 1 don't know.
2	A The location we're going to, the search warrant was	1 2	
3	presented to us.	3	Q At either one of those briefings, do you recall anyone giving any information that at this raid officers should
4	Q When you say "presented," do you mean read, or were you	4	expect weapons or other specific dangers?
5	given a copy?	5	A If it's in the search warrant. It would be in the search
6	A The copy the original search warrant with the seal is	6	warrant.
7	shown to us so that we know that we have a proper search	7	Q Do you recall whether that was in this search warrant?
8	warrant,	8	A I wouldn't say in this I don't remember it being in the
9	Q Okay. And are you required to read it at that briefing?	9	search warrant, but whenever I do a raid, I'm expecting
10	A Yes.	10	for that to be there.
1.1.	Q And do you recall what this particular search warrant	11	Q I'm asking something a little differently. I'm asking
12	authorized the search of?	12	whether or not there was anything presented to you where
13	A I can't remember offhand, no.	13	officers stated that their pre-raid surveillance
14	Q Anything else about the vice enforcement briefing that you	14	specifically indicated that there would be weapons
15	recall?	15	present.
16	MR. ASHFORD: Objection to form.	16	A If it's in the search warrant.
17	THE WITNESS: No.	17	Q I'm asking if you remember whether or not that was
18	BY MS. JAMES:	18	something that came up for this raid.
19	Q Okay. And what about the second briefing? Who was	19	A No, I don't remember.
20	involved in the second briefing?	20	Q Okay. At either one of those briefings, was there any
21	MR. ASHFORD: Objection, no foundation.	21	discussion about what charges officers should anticipate
22	THE WITNESS: I don't know who all was involved	22	issuing tickets for after the raid?
23	because we had so many people with us. But wherever we	23	MR. ASHFORD: Objection as to form.
24	met up at, that's where the same process is done, but the	24	THE WITNESS: I'm not sure. I mean, we know
25	information is given to all the other additional people	25	that they're going to receive a loitering ticket, and the
			wat they to going to receive a fortering nervet, and the
	Page 43		
1	Page 43		Page 45
1	that will be assisting us.	1	Page 45 engagers are going to receive an operating ticket.
2	that will be assisting us. BY MS. JAMES:	2	Page 45 engagers are going to receive an operating ticket. BY MS, JAMES:
2	that will be assisting us.  BY MS. JAMES:  Q Do you remember what other units were involved, any of	2	Page 45 cngagers are going to receive an operating ticket. BY MS. JAMES: O When you say you know that's going to be the case, is that
2 3 4	that will be assisting us.  BY MS. JAMES:  Q Do you remember what other units were involved, any of them?	2 3 4	Page 45 engagers are going to receive an operating ticket. BY MS. JAMES:  O. When you say you know that's going to be the case, is that just understood, or is that something that's specifically
2 3 4 5	that will be assisting us.  BY MS. JAMES:  Q Do you remember what other units were involved, any of them?  A No.	2 3 4 5	Page 45 engagers are going to receive an operating ticket. BY MS. JAMES:  O When you say you know that's going to be the case, is that just understood, or is that something that's specifically discussed at the briefing?
2 3 4 5 6	that will be assisting us.  BY MS. JAMES: Q Do you remember what other units were involved, any of them?  A No. Q Do you remember approximately how many officers were at	2 3 4 5	Page 45 engagers are going to receive an operating ticket. BY MS. JAMES:  O. When you say you know that's going to be the case, is that just understood, or is that something that's specifically discussed at the briefing?  MR. ASHFORD: Objection as to form.
2 3 4 5 6 7	that will be assisting us.  BY MS. JAMES: Q Do you remember what other units were involved, any of them?  A No. Q Do you remember approximately how many officers were at that briefing?	2 3 4 5 6 7	Page 45 engagers are going to receive an operating ticket. BY MS. JAMES:  O When you say you know that's going to be the case, is that just understood, or is that something that's specifically discussed at the briefing?  MR. ASHFORD: Objection as to form.  THE WITNESS: That is what we issue. If you're
2 3 4 5 6	that will be assisting us.  BY MS. JAMES:  Q Do you remember what other units were involved, any of them?  A No.  Q Do you remember approximately how many officers were at that briefing?  A No.	2 3 4 5 6 7 8	Page 45 engagers are going to receive an operating ticket. BY MS. JAMES:  O When you say you know that's going to be the case, is that just understood, or is that something that's specifically discussed at the briefing?  MR. ASHFORD: Objection as to form.  THE WITNESS: That is what we issue. If you're an engager, we issue you a ticket for operating, and if
2 3 4 5 6 7 8	that will be assisting us.  BY MS. JAMES:  Q Do you remember what other units were involved, any of them?  A No.  Q Do you remember approximately how many officers were at that briefing?  A No.  Q Was it more than twenty?	2 3 4 5 6 7 8 9	Page 45 engagers are going to receive an operating ticket. BY MS. JAMES:  O When you say you know that's going to be the case, is that just understood, or is that something that's specifically discussed at the briefing?  MR. ASHFORD: Objection as to form.  THE WITNESS: That is what we issue. If you're an engager, we issue you a ticket for operating, and if you are inside of the location, you're issued a ticket for
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13 (Pages 46 to 49)

		. (3-4		,
		Page 46	5	Page 48
1		those are the tickets that would be issued to them.	1	was inside of the premises will be detained.
2	В	Y MS. JAMES:	2	Q Detained for what purpose?
3	Q	Okay. And as you understand it, is anyone inside the	3	A Our investigation, to see what their purpose was for being
4		building who is not an engager, are they, sort of by	4	at the location.
5		default, a loiterer?	5	Q So once you I'm sorry. I'm trying to understand what
6	A	Only if surveillance was if we had an undercover in	6	you said. Did you say you would determine what the
7		there at the time of the warrant being issued.	7	person's purpose was for being there?
8	Q	Okay. For this particular raid, was it your understanding	8	A Yes.
9		that because there were undercover officers inside, that	9	Q Okay. And once you determine their purpose for being
10		any civilian who was inside was going to be ticketed	10	there, then what happens?
11		either as an engager or a loiterer?	11	A They're ticketed and released.
12	A	Yes.	12	Q All right. And when you say that you determine their
13	Q	Okay. So let's talk about the raid itself. I believe you	13	purpose, how is that done? Do you ask them questions
14		testified a few minutes ago that your initial assignment	14	about, "Why were you here, and what were you doing?"
15		was to outside security; is that right?	15	A I just ask them were they inside of the location.
16	Α	Yes.	16	Q Okay.
17	Q	Can you describe just briefly what outside security means?	17	A Mm-hmm.
18		What do you do?	18	Q And as long as they were there, they get ticketed?
19	A	Meaning to secure the dwelling to make sure that no one	19	A Yes,
20		exits from the location.	20	Q How long were you doing outside security roughly, if you
21	Q	Okay. If someone tried to exit the location, what would	21	recall?
22		you do?	22	A Probably less than sixty seconds.
23	Α	They would be detained.	23	Q Oh, okay. And then what did you do next?
24	Q	Okay. In this case, do you recall anyone trying to exit	24	A Once the door is breached, I enter in after the entry
25		the building while you were on outside security?	25	team.
		Page 47		Page 49
1	Α	In the position that I was in, no.	1	Q Okay. And when you say that, did you go in sort of
2	Q	What position were you in; do you remember?	2	immediately on their tail, or do you wait to get an all
3	<u>A</u>	Right by the front door,	3	clear_signal?
4	Q	Okay. Do you recall any of the other officers who were	4	A Immediately,
5		located near you at that time?	5	Q And so as soon as you entered the building, do you recall
6	Α	I was right behind the entry team.	6	where inside the building you went?
7	Q	Oh, okay. Who was the entry team? And when I say "who,"	7	A No, I don't remember the layout of the building.
8		I mean what unit?	8	Q Okay. What do you remember about when you entered?
9		I'm not sure who breached our door for us, but it would be	9	A Into the building?
10		either our SWAT team or one of our narcotic crews.	10	Q Mm-hmm,
11	Q	Is SWAT the same thing as SRT?	11	A Where everyone is detained.
12	Α	Yes.	12	Q I'm sorry. I asking something more specific, Just in
13		But as to this particular raid, you can't recall if it was	13	those first few moments when you entered, what do you
14		SWAT or narcotics?	14	remember seeing or hearing just in those first few
15		Or one of the narcotics crews.	15	moments?
16		If you wanted to find out whether it was a SWAT team or a	16	A "Police, search warrant." We breached the door. Whoever
17		narcotics crew, how would you do that?	17	I come in contact with, they're ordered to the floor and
18		I'm not sure.	18	detained.
19		3	19	Q And can you tell me in your own words what you remember
20		detain a person who tried to exit?	20	you or other officers were saying?
21		Because they were inside of the location.	21	A Every officer that's entering says, "Police, search
22		Okay. So is it fair that I interpret that as meaning they	22	warrant."
23		should be ticketed? They can't leave until they're	23	Q And, "Get down on the floor," or something like that?
24		ticketed?	24	A I won't say If you have contact with someone, yes, then
25	A	No. They were inside of the premises, so everyone that	25	I'm ordering you to the floor,

14 (Pages 50 to 53)

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		Page 50		Page 52
1	0	So is everyone ordered to the floor or only some I	1	you had a badge number or name tag that was visible?
2	`	guess I don't know what you mean by "have contact."	2	A Yes. I wear my badge with my chain,
3	Α	Depends on the area we're in. If there are tables,	3	Q And that would be over your vest?
4		chairs, for our safety factor, we're ordering everyone	4	A The way our vest is made, it's an opening to where once
5		down to the floor.	5	we're inside the location, once I make contact with you,
6	Q		6	my badge is pulled out.
7	-	I wouldn't say everyone. It depends on the layout. Some	7	Q Okay. And when you say "make contact," I'm not sure what
8		people we have to detain up against the wall.	8	you mean. Do you mean physical contact with someone or
9	O	I see. So depending on the layout of a particular area,	9	something else?
10	V	people are either ordered to the floor or asked to put	10	A I will say more physical, because I wear mine on a chain.
11		their hands up?	11	A lot of officers have theirs on their belt, A lot of
12	Α	-	12	officers wear theirs different ways. Me, I have mine on a
13	Q	* **	13	chain, so once I enter into the location, I don't wear it
14	V	How were you dressed for that raid; do you	14	on the outside because of the movement.
15		recall?	15	
16	Α		16	Q On that particular evening, do you remember making contact
17				with anyone in particular inside the building?
	Q	<del>-</del>	17	A I probably made contact with — It was a lot of people.
18	A	Black BDUs I'm sorry blue, dark blue BDUs.	18	Q Okay. And when you say you made contact with them, I'm
19	Q	Just for the record, can you say what BDUs means?	19	still not sure what you mean by that.
20	A.	It's just a wording we use for the pants, but it's a	20	A I'm your last stage of the day. Once we detain everyone,
21	^	department-issued narcotic raid pants.	21	the place is secured, everyone is secured, then that's
22	Q	, , ,	22	when we will set up our processing table, and I'm the
23	A		23	person that you would have to come to to get your forms
24	Q	I'm sorry. Continue.	24	and everything filled out.
25	A	I have to ask that question, too. I have to find out what	25	Q So meaning you interact with them in some way?
		111111111111111111111111111111111111111	<del>†</del>	77
		Page 51		Page 53
1		Page 51 BDU stands for. We just call them BDUs,	1	Page 53 A Yes, I interact with them.
1 2	Q	BDU stands for. We just call them BDUs.	1 2	A Yes, I interact with them.
	Q A	BDU stands for. We just call them BDUs.	ļ	A Yes, I interact with them.  Q What kind of equipment did you have with you? Did you
2		BDU stands for. We just call them BDUs. Okay. And what else?	2	A Yes, I interact with them.
2 3		BDU stands for. We just call them BDUs. Okay. And what else? The top that's issued that has "Detroit Police" on the front and the back.	2	A Yes, I interact with them.  Q What kind of equipment did you have with you? Did you have a flashlight? Weapons? What kind of equipment did you have?
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15 (Pages 54 to 57)

		_	1		
		Page 54			Page 56
1	Α	I don't know. It's a pretty big building, so once the	1		anybody's pockets and emptying their pockets?
2		location is deemed clear by the officer in charge of the	2	Α	Once the location is secured, everybody has been patted
3		entry unit, then that's when I secure my weapon in my	3		down, and they have been sectioned off, yes.
4		holster.	4	О	So after the location is secure and people have been
5	Q	And based on your memory of this raid, was that within a	5	•	sectioned off, then their pockets are emptied?
6	_	few minutes or a longer period of time?	6	Α	I wouldn't say their pockets are emptied. We have to get
7	Α	I'll say more than three minutes.	7		their ID, and if they had a vehicle, we have to get their
. 8	Q		8		keys to their vehicles.
9	_	took out and used your flashlight?	9	0	Okay. So, in that process, based on your experience, do
10	Α	Only if I'm in an area if I had to use it, so I don't	10	-	you recall asking people to give you those items, or did
11		know.	11		you take those items out of people's pockets?
12	Q	Okay. So to your memory, the inside of the building	12	Α	
13		wasn't so dark that you had to enter with your flashlight?	13	Q	Okay.
14	Α	I don't know.	14	-	But the females and certain males, we don't let them
1.5	Q	You don't recall?	15		search their own purse. So if they had a purse, I will
16	Α	Oh, you're asking once I entered?	16		search their purse. If they had a wallet, then we will go
17	Q		17		in their pocket and get their wallets.
18	Α	Yes, whenever I enter in, I always have my flashlight.	18	Q	So anyone who has a wallet that you feel, you take the
19		Mm-hmm.	19		wallet out of their pocket for them?
20	Q	Okay. So just so I understand, when you first enter, you	20	Α	
21		have your weapon at a low ready and your flashlight out?	21	Q	Are there any other circumstances that you can recall
22	Α	Yes. I carry my flashlight on top of my weapon.	22		where you reached in someone's pocket and took things out
23	Q	Oh, is there something that allows you to clip it to your	23		other than a wallet?
24		weapon?	24	Α	There could be circumstances after we advise them. You
25	Α	You can, but I don't.	25		get their permission. You let them know we're getting
			*		
1		Page 55	4		Page 57
1	Q	Page 55 Okay. So you use both hands to	1		Page 57 their ID. "Is it okay to get your ID?" Yes.
2	Q A	Page 55 Okay. So you use both hands to Yes. It's a certain position. Yeah.	2	Q	Page 57 their ID. "Is it okay to get your ID?" Yes. Okay.
2	Q A Q	Page 55  Okay. So you use both hands to  Yes. It's a certain position. Yeah.  Okay. And I'm sorry if you already answered this, but	2	Q	Page 57 their ID. "Is it okay to get your ID?" Yes. Okay. So there are occasions that I will go in their pockets.
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## Officer Sheron Johnson 10/28/2011

16 (Pages 58 to 61)

			1	-	•
		Page 58			Page 60
1		are going to be conveyed to our district.	1	A	I can't say how long. I know it was more than thirty
2	Ç		2		minutes.
3		committed some other offense?	3	Q	Okay. Now, as I understand it, the processing took a
4	Α	Weapons, narcotics.	4	_	period of time; is that fair?
5	Q	At this particular raid, do you recall anyone refusing to	5	Α	
6	Ì	hand over their ID or their keys?	6	0	
7	Α		7	_	it be accurate to say that some people were there for
8	0	Okay. Based on your understanding, would someone be	8		hours?
9		allowed to refuse to give their ID or their keys?	9	Α	No.
10	Α	I'm pretty sure they're allowed to, but I haven't	10	Q	
11		encountered anyone that had refused to give me keys.	11	A	
12	0	And I understand that this is a hypothetical since you	12	Q	
13	`	just said this hasn't happened to you, but if someone did	13	•	that you recall a patron was detained inside the building?
1.4		refuse to give you their ID or their keys, what would you	14	Α	I'll say not more than an hour, because you have the
15		do?	15		patrons who some wanted to wait around because they
16	A	You're saying refused to give their ID?	16		came with someone, because we had certain patrons that
17	Q		17		didn't have a vehicle.
18	A		18	0	Okay.
19		their correct information for processing.	19	-	So they were issued their ticket and allowed to be
20	o	Okay. And having people empty their pockets, this is part	20	11	released. Normally we'll try to get the ones out that
21	~	of the standard procedure for these types of raids as you	21		doesn't have a vehicle, get them out, get them out of the
22		understand it?	22		way.
23	A	It's a safety precaution, because they're not handcuffed,	23	0	Okay.
24		and the people are coming to the table to have contact, so	24	-	And then we deal with the paperwork with the ones that had
25		the officers need to make sure that they don't have	25	11	a vehicle.
		the officers freed to make safe that they don't have	120		a volitore.
		——————————————————————————————————————	·	<u>~</u>	The second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second secon
		Page 59		M	Page 61
1		Page 59 anything on them that can burt or injure me or the	1	Q	Page 61 Okay.
1 2			1 2	Q A	Okay.
	Q	anything on them that can hurt or injure me or the officers that they're making contact with.	i	-	Okay. So it's not more than an hour for the patrons.
2	Q A	anything on them that can hurt or injure me or the officers that they're making contact with.  So that's why it's typically done that way?	2	Ã	Okay. So it's not more than an hour for the patrons.
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17 (Pages 62 to 65)

		Page 62		Page 64
-1			_	
1	_	just receiving a ticket.	1	patrons?
2	Q	Okay. So for the people who had a vehicle who it took a	2	A Correct.
3		little bit longer, about how long was that process as you	3	Q And things like this?
4		recall?	4	A Yes.
5	A	It was a lot of people in there with vehicles, but I'll	5	Q All right. And in your experience in blind pig raids, was
6		say no more than an hour for them because we had quite a.	6	this raid conducted more or less similarly to most of the
7	_	few people at the processing table.	7	raids you have been involved in?
8	Q	And when you say no more than an hour, do you mean an hour	8	A Yes.
9		from the time of entry or an hour from the time where	9	MR. ASHFORD: Objection as to form.
10		processing began?	10	THE WITNESS: I'm sorry. Yes.
11		An hour from the time of processing beginning.	11	BY MS. JAMES:
12	Q	I see, Okay. All right,	12	Q All right. Now, I did have an activity log that I pulled
13		For the period where patrons were detained and	13	out prematurely a while back. I'd like to get to that.
14		waiting to receive their ticket, were they allowed to	14	This is the activity log from May 30th, 2008, and up at
15		leave at all, leave the building at all during that time?	15	the top
16	_	Not without paperwork.	16	MR, KOROBKIN: Excuse me. It's Exhibit 4,
17	Q	<del>-</del>	17	BY MS. JAMES:
18	Α	Not on their own will. If they had to use the bathroom,	18	Q I'm sorry. It is already marked as Exhibit 4. And up
19		then an officer will assist them. They were allowed to	19	toward the top there's a list of officers' names on line
20		use their phone at the location, not at free will, but if	20	two. Is this a reference to you, S. Johnson?
21		they needed to call a ride, call their parents or	21	A Yes,
22 23	_	anything, we did allow them to use their phone.  Okay. And based on your memory, while a person was	22	Q And it's hard to tell where one signature ends and another
24	V	· -	23	begins, but do you see your signature anywhere in that
25		waiting to receive their ticket or paperwork, were they sitting, kneeling, standing, or any of the above?	24 25	vicinity?
23		sitting, kneering, standing, or any or the above?	23	A Yes, I do. It's on top of my name.
		Page 63		Page 65
1	A	Page 63 It all depends on the most of them Well, I'll say	1	
1 2	A	_	1 2	Page 65
	A	It all depends on the most of them Well, I'll say		Page 65  Q All right. And just for the record, do you recall whether
2	A	It all depends on the most of them Well, I'll say that location, most of them were sitting on the floor	2	Page 65  Q All right. And just for the record, do you recall whether or not you were the one who prepared this particular
3	A	It all depends on the most of them Well, I'll say that location, most of them were sitting on the floor because it was a bit like an art gallery type place. But	2	Page 65  Q All right. And just for the record, do you recall whether or not you were the one who prepared this particular activity log?  A No.  Q Do you know who did prepare it?
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### Officer Sheron Johnson 10/28/2011

18 (Pages 66 to 69)

	TO Trages	, 00	60 07,
	Page 66		Page 68
1	a number of signatures here. Are you asked to read the	1	log?
2	entire thing and sign it once you have read the whole	2	A Yes.
3	document?	3	Q Okay. And so you have some understanding of the
4	A To review it, yes.	4	information that's in the middle of the front page that's
5	Q And has there ever been an instance where someone else on	5	titled "Recap of Activity"?
6	your crew has created an activity log that you asked them	6	A Yes.
7	to you know, there was something missing that you	7	Q Okay. And what's your understanding of what notations, if
8	wanted them to add before you would sign off on it or	8	any, should be made in this portion of the log?
9	something like that?	9	A That's up to the individual officer.
10	MR. ASHFORD: I'm going to object to that as to	10	Q Okay. And when would you fill out a notation in this
1.1	form, not reasonably calculated to lead to admissible	11	section?
12	evidence,	12	A Of what section?
13	THE WITNESS: I can't think of any.	1.3	Q The "Recap of Activity" section.
14	BY MS, JAMES:	14	A You said when?
15	Q I guess the question I'm really asking is, you know, if	15	Q Yeah. Under what circumstances would you fill out this
16	someone else is making this record, do you have an	16	portion? You said it was up to the discretion of the
17	opportunity to, you know, make a correction if one is	17	officer.
18	needed?	18	A Mm-hmm.
19	A I can't go in and me physically make a correction. I can	19	Q So I'm asking when would you use your discretion to make a
20	have them add or subtract from it if there's something in	20	notation in the "Recap of Activities" section?
21	there that's not correct.	21	MR. ASHFORD: I'll object to form.
22	Q Okay. If you would just flip to the back for a moment,	22	THE WITNESS: I'm not clear what you're asking
23	the notation Well, hold on. Let me take a quick look	23	me.
24	hear,	24	BY MS, JAMES:
25	The notation on the back page for 5:45 a.m., as	25	Q Some of these columns have a number in it, and some of
	Page 67		Page 69
1	Page 67 you see that notation where it says "Base 22 processing	1	Page 69
. 2	Page 67 you see that notation where it says "Base 22 processing prisoners, property and paperwork," what does that mean?	2	Page 69 them don't. A Yes.
3	Page 67 you see that notation where it says "Base 22 processing prisoners, property and paperwork," what does that mean? A. It means our end-of-the-day duties that we're responsible	2	Page 69 them don't. A Yes. Q Right?
3	Page 67 you see that notation where it says "Base 22 processing prisoners, property and paperwork," what does that mean?  A It means our end-of-the-day duties that we're responsible for.	2 3 4	them don't.  A Yes. Q Right?  A Mm-hmm.
2 3 4 5	Page 67  you see that notation where it says "Base 22 processing prisoners, property and paperwork," what does that mean?  A It means our end-of-the-day duties that we're responsible for.  Q Okay. So does this time, 5:45, have any relation to when	2 3 4 5	them don't. A Yes. Q Right? A Mm-hmm. Q Okay. So, for example, next to "Autos Impounded," it says
2 3 4 5 6	Page 67  you see that notation where it says "Base 22 processing prisoners, property and paperwork," what does that mean?  A It means our end-of-the-day duties that we're responsible for.  Q Okay. So does this time, 5:45, have any relation to when the operation at the location of the CAID concluded?	2 3 4 5	them don't. A Yes. Q Right? A Mm-imm. Q Okay. So, for example, next to "Autos Impounded," it says 44; is that right?
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## Officer Sheron Johnson 10/28/2011

19 (Pages 70 to 73)

			1	-	- · - •
		Page 70			Page 72
1		procedure. Like whatever my activity was that day, it is	1	Q	Okay.
2		written down and noted, so it's turned in every day to our	2	Ā	
3		supervisors. It shows my activity for the day.	3		we're allowed to keep ourself. The two copies are
4	0		4		forwarded to our court section.
	Ų	you have a record to refresh your memory when asked about	5	Q	Okay.
5		·	6	A	
.6		what you did on a previous day? Yes, that's one.	7	А	the ticket to.
7	A	•	8	^	I see.
8	Q	, , , , , , , , , , , , , , , , , , , ,		Q A	
9		tickets that you issued on that particular night, May	9	A	
10		31st, 2008, what document would you use to refresh your	10	^	personal copy of my own.
11		recollection about what you observed that night?	11	Q	Okay. So the personal copy that it's your practice to
1.2		A copy of my tickets.	12		keep and I understand you're only speaking for
13		I see. And how do you obtain a copy of your ticket?	13		yourself, not anybody else is it a separate copy that
14	Α	I make copies of mine or our of the green ticket, I	14		you fill out on a different piece of paper, or is it a
15	_	make copies of them.	15		photocopy of one of the
16	Q		16	Α	Okay. Repeat that,
17	A	It's a misdemeanor or	17	Q	I'm sorry,
18	Q	• • • • • • • • • • • • • • • • • • • •	1,8	Α	That's okay.
19		photocopy?	19	Q	It's important, though, we understand each other, so I
20	A	That's mine. That's what I do. As far as the ticket, it	20		appreciate it.
21		has a section in the middle where an officer can put their	21		You mentioned a few minutes ago that you keep a
22		notes	22		copy for yourself.
23	Q	Okay.	23	Α	Mm-hmm,
24	A	to help them remember what case if they choose to put	24	Q	The copy that you keep, do you write the same information
25		that in there.	25		that goes on the form that we just talked about where one
		that in more.			· · · · · · · · · · · · · · · · · · ·
		Page 71			Page 73
	0	Page 71			Page 73
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#### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 21 of 29 Pg ID 2242

## Officer Sheron Johnson 10/28/2011

20 (Pages 74 to 77)

		–	,
	Page 74	:	Page 76
1	Q Okay. So for the incident that we're talking about here,	1	determination or who Strike that.
2	the CAID raid, as you sit here today, do you know whether	2	For this particular raid, do you have any
3	or not there is a copy somewhere that has your notes on	3	knowledge of what the process was for determining who was
4	it?	4	an engager/operator, you know, sorting out the engagers
5	A My personal notes?	5	from the loiterers?
6	Q Yeah.	6	A Yes. That was done by Lieutenant Yost and Sergeant Buglo.
7	A I normally don't put personal notes on green tickets	7	Q Okay. So did you have any duties that involved dealing
8	because those tickets are forwarded to the court section,	8	with engagers or operators?
9	So if I have a young lady that's in college, and my ticket	9	A Only when I had the interaction with them at the table.
10	is going to affect her getting her financial aid,	10	Q Oh, I see. Okay.
1.1	sometimes I'll put "college student" so we can speak with	11	A Or I probably had interaction with them first coming in.
12	the judge to see if we can be relaxed on this. So I don't	12	I don't know.
13	want the court to see that. But those are just my general	13	Q Okay. So is it your understanding that for those who were
14	personal notes of things that I put on there.	14	ticketed for loitering, they were ticketed because they
15	So I very, very rarely put notes on the green	15	were inside the building when the raid occurred? Is that
16	tickets that I was speaking of. The tickets that was	16	fair?
17	issued on the day of the CAID, I never put personal notes	17	A That's fair.
18	on those tickets because that's forwarded to the court	18	Q I'm going to take your activity log back.
19	section. Everyone can see those notes.	19	I think you have a copy of what's being marked
20	Q So for the tickets that were issued at the CAID that	20	as Exhibit No. 5, but I have ample copies as well if you
21	night, based on your memory, there were only the three	21	need one. What's being marked as Exhibit No. 5 – Let me
22	copies, one that goes to the defendant and two that goes	22	pause and let her mark it.
23	to the court; there was no other copy that you kept?	23	(WHEREUPON, Deposition Exhibit 5
24	A Well, I'll say the practice of our vice section is a copy	24	was marked for identification.)
25	of every ticket that was issued is copied and put on	25	BY MS, JAMES;
		, ~ -	DI MB, MAIDS,
		-	
<del>                                     </del>	Page 75		Page 77
.1	Page 75	1	Q What was just marked as Exhibit No. 5, at the top it says
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2 3 4	file Q Oh, okay. A at our base unit. Q I see.	1 2	Q What was just marked as Exhibit No. 5, at the top it says "Detroit Police Department Crime Report," Case Number 0805310096, and this is Report Number — same number, .1.  Report date 5-31-2008. And just for the record, you
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#### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 22 of 29 Pg ID 2243

# Officer Sheron Johnson 10/28/2011

21 (Pages 78 to 81)

	(	,	~	0 01,
	Page 78			Page 80
1	MR. ASHFORD: Objection, asked and answered.	1	Q	I'm sorry. Do you recall having observed Mr. Kaiser
2	THE WITNESS: It would be fair to say.	2	•	engage in any illegal activity other than being present in
3	BY MS. JAMES:	3		the building?
4	Q Okay. Do you recall her doing anything else other than	4	A	No.
5	merely being present in the building that provided	5		MS, JAMES: I'll take that one back from you.
6	probable cause for ticketing her for loitering in a place	6		Thanks. Can you mark this as No. 6?
7	of illegal occupation?	7		(WHEREUPON, Deposition Exhibit 6
8	A That was so long ago, I can't answer that.	8		was marked for identification.)
9	Q Is there any document that exists that would refresh your	9	B	Y MS. JAMES:
10	recollection of what you observed of Miss Smedley that	10	Q	Okay. I have handed you what is marked as Exhibit No. 6,
11	evening?	11		Across the top it says "Detroit Police Department
12	A No.	12		Follow-Up Report," and it has the same report number as
13	Q Okay. I'm sorry. I know this is a tedious process, and	13		the previous exhibit except this one is .3, dated June
14	you'll have to humor lawyers a little bit.	14		2nd, 2008. And, again, just for the record, this doesn't
15	A I know. That's why I said, "Really? That's three years	15		appear to have been written by you; is that correct?
16	ago."	16	Α	That's correct.
17	Q But I'm going to ask you about a few other numbers on	17	Q	And you haven't signed it or anything like that, right?
18	here. Okay? I'd like you to look at number 18, Darlene	18	Α	No. No signature goes on these.
19	Celeste Hellenberg. And as you sit here today, can you	19	Q	I'd like to draw your attention to a portion that is
20	recall what you observed her doing that called for	20		marked VEU46. Do you see that?
21	ticketing for loitering in a place of illegal occupation?	21	Α	Yes.
22	A No. It was such a long time ago.	22	Q	Okay. It's on the first page, Darlene Celeste Hellenberg.
23	Q Would it be fair to say that she was ticketed because she	23		First, I have asked this question, and I haven't gotten an
24	was present in the building when the raid occurred?	24		answer yet. Do you know what VEU stands for?
25	A That's fair to say.	25	A	Vice enforcement unit.
		1	* *	vice andreament unit.
1	Page 79			Page 81
1 2	Page 79  MR. ASHFORD: Objection, no foundation.	1	Q	Page 81 So the numbers on here, I notice at the beginning of the
2	Page 79  MR. ASHFORD: Objection, no foundation.  BY MS. JAMES:	1 2	. <b>Q</b>	Page 81  So the numbers on here, I notice at the beginning of the page it starts at forty. Do you have any understanding of
	Page 79  MR. ASHFORD: Objection, no foundation.  BY MS. JAMES:  Q And do you have any other memory of observing her engaged	1 2 3	.Q	Page 81  So the numbers on here, I notice at the beginning of the page it starts at forty. Do you have any understanding of why it starts at forty?
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2 3 —4	Page 79  MR. ASHFORD: Objection, no foundation.  BY MS. JAMES:  Q And do you have any other memory of observing her engaged in any illegal activity other than her presence in the building?	1 2 3 4 5	Q	Page 81  So the numbers on here, I notice at the beginning of the page it starts at forty. Do you have any understanding of why it starts at forty?  Because that was the fortieth vehicle that was forfeited for that particular year.
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22 (Pages 82 to 85)

	22 (1490)		00 00,
	Page 82		Page 84
1	A Probably that officer probably went out and physically	1	frank with you. Does this document suggest that the
2	looked at the vehicle for themselves, so that's why their	2	officer who is listed here authorized the abatement of
3	name may be on there.	3	that vehicle?
4	•		
	Q Okay. But is it your understanding that as a general rule	4	A No. I really don't know. This is the way Sergeant Buglo
5	usually the officer who issues the loitering ticket is the	5	chose to do his report. It could be anything, who wrote
6	same officer who signs or has their name on the nuisance	6	the ticket. I don't know if they're saying that that
7	abatement form?	7	officer is the one that wrote the ticket or whose name is
8	A No.	8	on the forfeiture sheet. I'm not sure.
9	Q Oh, I'm sorry. Okay. Is there some connection between	9	Q So is it fair to say that the best record to determine
10	issuing the loitering ticket and the ultimate abatement of	10	which officer authorized the abatement of the vehicle
11	the vehicle?	11	would be the nuisance abatement form itself?
12	A I can be your arresting officer, but I may not be the	12	A Correct, Yes,
13	officer that impounded your vehicle.	13	Q Okay. And to your knowledge, does vice enforcement retain
14	Q Okay. To your knowledge, is there any paperwork, other	14	copies of those forms?
15	than the nuisance abatement form itself, is there any	15	A It's forwarded to the prosecutor's office, Frank Murphy
16	report that lists the officer who authorized the abatement	16	Building on the tenth floor.
17	for each vehicle?	17	Q So vice enforcement does not retain a copy of that?
18	MR. ASHFORD: Objection, no foundation.	18	A I'm pretty sure we do. We do have a copy of it.
19	Objection to form.	19	Q So is it your understanding that the form itself is
20	BY MS. JAMES:	20	forwarded to Frank Murphy, but vice enforcement keeps a
21	Q If you know.	21	copy of that form?
22	A No. The officer who's authorizing the abatement is going	22	A The original form has to be forwarded to the prosecutor's
23	to be the officer for the blind pig is going to be	23	office.
24	the officer in charge. On every nuisance and abatement	24	Q But vice enforcement keeps a copy?
25	form, you're going to see two different officers'	25	A Yes.
	Page 83		Page 85
1	Page 83	1	Page 85
1	signatures. You're automatically, for the blind pig,	1	MS. JAMES: And, again, just for the record, we
2	signatures. You're automatically, for the blind pig, you're going to see the officer in charge which is	2	MS. JAMES: And, again, just for the record, we have requested and not received copies of any of the
<b>2</b> 3	signatures. You're automatically, for the blind pig, you're going to see the officer in charge which is Lieutenant Yost. Her name should be on every nuisance and	2	MS. JAMES: And, again, just for the record, we have requested and not received copies of any of the misdemeanor tickets nor the nuisance abatement forms. We
2 3 4	signatures. You're automatically, for the blind pig, you're going to see the officer in charge which is  Lieutenant Yost. Her name should be on every nuisance and abatement form authorizing the confiscation of the	2 3 4	MS. JAMES: And, again, just for the record, we have requested and not received copies of any of the misdemeanor tickets nor the nuisance abatement forms. We have now obtained several sources of testimony indicating
2 3 4 5	signatures. You're automatically, for the blind pig, you're going to see the officer in charge which is Lieutenant Yost. Her name should be on every nuisance and abatement form authorizing the confiscation of the vehicle.	2 3 4 5	MS. JAMES: And, again, just for the record, we have requested and not received copies of any of the misdemeanor tickets nor the nuisance abatement forms. We have now obtained several sources of testimony indicating that it is within the control of the Detroit Police
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	signatures. You're automatically, for the blind pig, you're going to see the officer in charge which is Lieutenant Yost. Her name should be on every nuisance and abatement form authorizing the confiscation of the vehicle.  Q So Lieutenant Yost is the one who authorizes the abatement for all the vehicles?  MR. ASHFORD: Objection.  THE WITNESS: Not authorizes. Lieutenant Yost's name will be as the officer in charge or the I have to show you. You have to see the nuisance and abatement form, but it has a section for the commanding officer who is in charge because we, in order to have a vehicle abated, we have to have a supervisor sign it.  BY MS. JAMES:  Q Okay. So any officer may fill out a nuisance abatement form, have their name on it authorizing the abatement, but then it goes to a supervisor to review and sign?  A Yes.  Q Do you recall whether or not you filled out the nuisance abatement form for any of the vehicles that were seized at this raid?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS. JAMES: And, again, just for the record, we have requested and not received copies of any of the misdemeanor tickets nor the nuisance abatement forms. We have now obtained several sources of testimony indicating that it is within the control of the Detroit Police Department, so I'm renewing my request that that be supplemented. Sorry. That has little to do with you.  THE WITNESS: That's okay. I know you have to get your discovery.  MS. JAMES: I'll take this back, by the way. Thanks.  (Recess taken from 12:52 p.m. to 1:10 p.m.)  BY MS. JAMES:  Q We're back on the record. Once a ticket is issued for loitering in a place of illegal occupation, do you know whether a prosecutor has to approve the ticket, if you know?  A It's forwarded to the court section.  Q But do you know whether or not a prosecutor reviews or approves it?  A No, I don't know.  Q Okay. Have you ever been contacted by a prosecutor who

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# Officer Sheron Johnson 10/28/2011

23 (Pages 86 to 89)

		Page 86	}	Page 88
1	0	_		
1	Ų	And I believe you testified earlier that you did authorize	1	MR. ASHFORD: Objection as to form.
2 3		the abatement of some vehicles on the night of the CAID raid; is that right?	3	THE WITNESS: Under the nuisance and abatement. BY MS, JAMES:
4	Δ	No, not authorized. I said my name may be on some of the	4	Q I understand what the law is. I'm asking what are the
5	2 9	nuisance abatement forms.	5	factual circumstances that met the standard of the law?
6	n	Okay. Let's clarify some of those terms so we make sure	6	MR. ASHFORD: For every car?
7	~	we're understanding each other. If your name appears on	7	MS. JAMES: Yeah.
8		the form, does that mean it was your decision to abate the	8	THE WITNESS: I can't answer that for every car.
9		vehicle?	9	BY MS, JAMES:
10	A	Yes.	10	Q Well, let me ask it more generally. Was it your
11	Q	So there were some vehicles that evening where you decided	11	understanding that as long as somebody was ticketed for
12	•	it would be abated under the statute; is that right?	12	loitering, that that satisfied the standard for abating
13	A	No. There may be some forms that have my name on it	13	their car?
14		because I'm the issuing officer.	14	A Are you stating under the nuisance and abatement code?
15	Q	Okay. For the forms where your name appears, who made the	15	Q Yes.
16		decision that that vehicle was going to be seized and	16	A Yes,
17		abated?	17	Q All right. Once a vehicle is subject to abatement, do you
18	A	I need you to actually see the form.	18	know what a person has to do to get their car back if they
19	Q	Okay.	19	want it back?
20	A	Lieutenant Yost is the one that's authorizing all the	20	A No.
2.1		vehicles. Well, she's the one that's making the decision	21	Q So have you ever heard anything about people having to pay
22		that all the vehicles are going to be nuisance and abated,	22	money to get their cars back?
23		but you have different officers You may have an officer	23	A Oh, yes, I have heard of that.
24		that went out, and I wrote the ticket, but he was the	24	Q And what's your understanding of that?
25		actual officer that went out and conducted the impound of	25	MR. ASHFORD: Objection as to form,
			1	
		Page 87		Page 89
1		Page 87 the car.	1	Page 89 THE WITNESS: What?
1 2	Q	the car.	1 2	
	Q A	the car. Okay.	1	THE WITNESS: What?
2		the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not	2	THE WITNESS: What? BY MS. JAMES:
2		the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet.	2	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's
2 3		the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the	2 3 4	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to
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2 3 4 5 6 7 8	<u>A</u>	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for	2 3 4 5 6 7 8 9	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?
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2 3 4 5 6 7 8 9 10	<u>A</u>	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?	2 3 4 5 6 7 8 9 10	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the
2 3 4 5 6 7 8 9 10 11	<u>A</u>	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form.	2 3 4 5 6 7 8 9 10 11	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?
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2 3 4 5 6 7 8 9 10 11 12 13 14	Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the — surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form.  THE WITNESS: To my understanding, with the blind pig, the OIC.	2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office,  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets
2 3 4 5 6 7 8 9 10 11 12 13 14	Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the — surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form, THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES:	2 3 4 5 6 7 8 9 10 11 12 13 14 15	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office,  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form. THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form. THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q Q B Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form. THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant Yost's decision?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had any experience where you have been encouraged to seize a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q Q B Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form.  THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant Yost's decision? Correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had any experience where you have been encouraged to seize a large number of vehicles under the nuisance abatement
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q Q B Q	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form. THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant Yost's decision?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had any experience where you have been encouraged to seize a large number of vehicles under the nuisance abatement statute?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q B Q A	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form.  THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant Yost's decision? Correct.  MR. ASHFORD: Objection to form.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had any experience where you have been encouraged to seize a large number of vehicles under the nuisance abatement statute?  MR. ASHFORD: Objection as to form.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q Q A A B	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the — surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form.  THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant Yost's decision? Correct.  MR. ASHFORD: Objection to form.  THE WITNESS: Correct. Y MS. JAMES:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had any experience where you have been encouraged to seize a large number of vehicles under the nuisance abatement statute?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q Q A A B	the car. Okay. So his name may go on it. Even though my name is the officer authorizing the impound of the vehicle, it may not necessarily be my name that was on the forfeiture sheet. It may be the officer who actually did the — surveyed the vehicle. I'll try to ask this question as directly as I can. Who makes the decision that a vehicle meets the standards for abatement under the law and decides that that vehicle will be abated?  MR. ASHFORD: Objection to form, THE WITNESS: To my understanding, with the blind pig, the OIC. Y MS. JAMES: Okay. So is it fair to say that for any vehicles that were abated at the CAID raid, it was ultimately Lieutenant Yost's decision? Correct.  MR. ASHFORD: Objection to form. THE WITNESS: Correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	THE WITNESS: What?  BY MS. JAMES:  Q Do you have any more specific knowledge than just the general notion that people paid some money?  A Yeah. I heard that they just go to the prosecutor's office. They're given the abatement form, and they go to the prosecutor's office.  Q Do you know approximately how much they pay at the prosecutor's office?  A No.  Q Do you know what happens to the money that's paid for the return of a car?  A No.  Q So you don't know whether or not the City of Detroit gets any of that money?  A No, I don't.  Q In your experience at all as an officer, have you ever had any experience where you have been encouraged to seize a large number of vehicles under the nuisance abatement statute?  MR. ASHFORD: Objection as to form.  THE WITNESS: What do you mean by "encouraged"?

### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 25 of 29 Pg ID 2246

# Officer Sheron Johnson 10/28/2011

24 (Pages 90 to 93)

	· · J • · ·	1	٠.	,
	Page 90			Page 92
1	something like that?	1		supervisor.
2	A No.	2	Q	Not giving information to your supervisor or information
3	Q Have you ever been commended for seizing a high number of	3		about your supervisor? I wasn't sure.
4	vehicles?	4	Α	About my supervisor.
5	A What do you mean by "commended"?	5	Q	Tell me what you remember about the events that led to
6	Q Did anyone ever say, "Good job on seizing all those	6		that accusation.
7	vehicles*?	7	Α	My name was on a run sheet.
8	MR. ASHFORD: Objection to form.	8	Q	On what run sheet?
9	THE WITNESS: I have been commended for just	9	À	The activity log sheet, the sheet that you see where my
10	good work.	10	:	name and signature is.
11	BY MS. JAMES:	11	Q	Okay. I guess I don't understand what you mean. Can you
12	Q But not specifically for seizing a large number of cars?	12		give me a little more detail about what the underlying
13	A Not for the sole purpose of taking a vehicle, no.	13		accusation is?
14	Q All right. During your employment Oh, yeah, I'm sorry.	14	A	Whatever action that transpired on that day, every officer
15	Let me back up and fill in one more spot here.	15		named that was on that run sheet for that date, we were
16	When a person is issued a loitering Is it	16		suspended.
17	okay if I shorten the phrase of loitering in a place of	17		What was the activity that occurred that day?
18	illegal occupation to loitering?	18	A	The allegation of the officer was that he changed a
19	A We call it LIPIO, You can say LIPIO,	19		location on a ticket.
20	Q LIPIO? Oh, okay, LIPIO. I'll say that phrase then. I	20	Q	I mean, can you describe this in a little more detail?
21	should have learned that phrase a long time ago.	21		I'm really not understanding.
22	MR, KOROBKIN: We should have been doing that	22	Α	I can't. My name was just on the run sheet. I was
. 23	all along.	23		working with that supervisor that day, and my name was on
24	BY MS. JAMES:	24		the run sheet, so every officer that was on that form was
25	Q In your experience having issued LIPIO tickets, does the	25		suspended,
·			··	·
<del></del>	Page 91		<b>*</b> ~	Page 93
1	Page 91. ticket itself set a court date; do you recall?	1	Q	Page 93 But what was the underlying issue about the wrong
1 2		1 2	. Q	_
	ticket itself set a court date; do you recall?		, Q , A	But what was the underlying issue about the wrong
2	ticket itself set a court date; do you recall?  A Not now it doesn't.	2		But what was the underlying issue about the wrong location? What are the facts surrounding that?
3	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?	2	A Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?
3 4	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.	2 3 4	A Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.
2 3 4 5	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a	2 3 4 5	A Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused —
2 3 4 5	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a LIPIO ticket, whether the court date is on the ticket	2 3 4 5 6	A Q A	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.
2 3 4 5 6 7	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a	2 3 4 5 6 7	A Q A Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused — Who was the officer who issued the ticket, if you recall?  I can't remember the officer who issued it.
2 3 4 5 6 7 8 9	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a LIPIO ticket, whether the court date is on the ticket itself, at some point they have to appear in court; is that your understanding?	2 3 4 5 6 7 8 9	A Q A Q Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused —  Who was the officer who issued the ticket, if you recall?  I can't remember the officer who issued it.  Okay. So an officer issued a ticket that as you
2 3 4 5 6 7 8 9 10	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a LIPIO ticket, whether the court date is on the ticket itself, at some point they have to appear in court; is that your understanding?  A Yes.	2 3 4 5 6 7 8 9 10	A Q A Q Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused — Who was the officer who issued the ticket, if you recall?  I can't remember the officer who issued it.  Okay. So an officer issued a ticket that as you understand another officer claimed had the wrong location
2 3 4 5 6 7 8 9 10 11	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a LIPIO ticket, whether the court date is on the ticket itself, at some point they have to appear in court; is that your understanding?  A Yes.  Q During your employment at the Detroit Police Department,	2 3 4 5 6 7 8 9 10 11	A Q A Q Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused — Who was the officer who issued the ticket, if you recall?  I can't remember the officer who issued it.  Okay. So an officer issued a ticket that as you understand another officer claimed had the wrong location of the occurrence of the incident that was being ticketed
2 3 4 5 6 7 8 9 10 11 12	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a LIPIO ticket, whether the court date is on the ticket itself, at some point they have to appear in court; is that your understanding?  A Yes.  Q During your employment at the Detroit Police Department, have you ever been suspended?	2 3 4 5 6 7 8 9 10 11 12	, A Q A Q A Q	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused— Who was the officer who issued the ticket, if you recall?  I can't remember the officer who issued it.  Okay. So an officer issued a ticket that as you understand another officer claimed had the wrong location of the occurrence of the incident that was being ticketed about? Am I getting that roughly correct?
2 3 4 5 6 7 8 9 10 11 12 13 14	ticket itself set a court date; do you recall?  A Not now it doesn't.  Q Not now it doesn't?  A No.  Q Has it before in the past?  A Yes, some years ago. I can't tell you how long it's been.  Q Okay. But is it fair to say that when a person receives a LIPIO ticket, whether the court date is on the ticket itself, at some point they have to appear in court; is that your understanding?  A Yes.  Q During your employment at the Detroit Police Department, have you ever been suspended?  A Yes.	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q A Q A A	But what was the underlying issue about the wrong location? What are the facts surrounding that?  An officer accused another officer of changing a location on his ticket.  Okay. So what kind of ticket, if you recall?  I don't remember what type of ticket.  So an officer issued a ticket. Another officer accused — Who was the officer who issued the ticket, if you recall?  I can't remember the officer who issued it.  Okay. So an officer issued a ticket that as you understand another officer claimed had the wrong location of the occurrence of the incident that was being ticketed about? Am I getting that roughly correct?  Yes.
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# Officer Sheron Johnson 10/28/2011

25 (Pages 94 to 97)

		25 (rages	,	CO 377
		Page 94		Page 96
1	Q	And how were you notified that that investigation was	ı	A Yes.
2		taking place?	2	Q Have you ever received any other formal discipline during
3	A	I was suspended.	3	your employment with the Detroit Police Department?
4	Q	So your first notification that an investigation was	4	A No.
5	_	occurring was when you were told you were being suspended?	5	Q Okay. To your knowledge, have there ever been any citizen
6	Α	· · · · · · · · · · · · · · · · · · ·	6	complaints lodged against you?
7	Q	And who notified you of that, if you recall?	7	A Yes.
8	-	I don't know. Somebody from internal affairs.	. 8	Q Okay. And based on your knowledge and memory, do you know
9	Q		9	roughly how many?
10		that investigation was as to you?	10	A No.
11		Mm-hmm.	11	Q More than one, if you know?
12	Q	www.	12	A I don't know.
13	-		13	Q You're not sure if it's been more than one?
14	Q	Okay.	14	MR. ASHFORD: Objection, asked and answered.
15	_	for signing my activity log without reviewing it.	15	THE WITNESS: I don't know.
1.6		I see. And was there a finding or a conclusion that you	16	BY MS. JAMES:
17		were in neglect of duty?	17	Q Okay. Do you recall what you were accused of doing in any
1.8		Yes, for not reviewing my run sheet.	18	complaint that's been made against you?
19	Q	And how long were you on suspension?	19	A Improper ticket.
20	-	Two days.	20	Q And does that mean someone was complaining that you didn't
21			21	• - •
22		reprimand, were there any other changes in your employment	22	have probable cause to ticket them?  A No. They wasn't happy with the ticket that I wrote them.
23		or duties as a result of this incident?	23	* ***
24		No.	24	Q I'm not sure what that means. Is it your understanding
25	Q		25	that they were disputing that they should have been
	Ų	And once you returned to work, did you return to your	45	ticketed? They were saying, "I didn't do anything; I
		Page 95		Page 97
1		normal work, or was there some change in how you were	1	shouldn't have been ticketed"?
2		assigned once you returned to work?	2	A They didn't think it was fair for me to write them the
3	A	No. I still stayed.	3	ticket.
4	Q	And I'm sorry. What unit were you in when that occurred?	4	
5	Α		1 4	Q But is it your understanding that they were disagreeing
6.	$\boldsymbol{\Lambda}$	Vice unit.	5	
	Q			Q But is it your understanding that they were disagreeing that they had done anything that allowed you to ticket them?
7		Vice unit.  How long after this incident were you transferred out of the vice unit?	5	that they had done anything that allowed you to ticket them?
7 8		How long after this incident were you transferred out of	5	that they had done anything that allowed you to ticket them?  A Their reasoning, they agreed to knowing why I wrote the
	Q	How long after this incident were you transferred out of the vice unit?  I wasn't transferred out.	5 6 7	that they had done anything that allowed you to ticket them?  A Their reasoning, they agreed to knowing why I wrote the ticket, but I guess they had their circumstances. They
8	Q A Q	How long after this incident were you transferred out of the vice unit?	5 6 7 8	that they had done anything that allowed you to ticket them?  A Their reasoning, they agreed to knowing why I wrote the
8 9	Q A Q	How long after this incident were you transferred out of the vice unit?  I wasn't transferred out. I'm sorry. I can use different words. At some point you	5 6 7 8 9	that they had done anything that allowed you to ticket them?  A Their reasoning, they agreed to knowing why I wrote the ticket, but I guess they had their circumstances. They had an emergency, so they felt they shouldn't have been written a ticket.
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8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q A A	How long after this incident were you transferred out of the vice unit?  I wasn't transferred out. I'm sorry. I can use different words. At some point you transferred from vice unit to some other assignment; is that right?  Yes.  And how long between this incident and that transfer, if you recall?  When the incident occurred, I put in paperwork to transfer.  So you requested to transfer somewhere clse?  Yes.  I understand. Was this incident part of your decision to request a transfer?  No. My son graduated from high school.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that they had done anything that allowed you to ticket them?  A Their reasoning, they agreed to knowing why I wrote the ticket, but I guess they had their circumstances. They had an emergency, so they felt they shouldn't have been written a ticket.  Q Oh, I see. They felt like they had some kind of excuse?  A Correct.  Q All right. Is that the only complaint that you can recall as we sit here?  A Yes.  Q And do you recall what the finding or outcome was of that complaint?  A I was found — It was sustained. I guess sustained means no finding of wrongdoing on my part.  Q So you were found to have acted properly?  A Correct.
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#### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 27 of 29 Pg ID 2248

#### Officer Sheron Johnson 10/28/2011

26 (Pages 98 to 101)

	Page 98		Page 100
1	Q I'm handing you what has just been marked as Exhibit 7.	1.	BY MS. JAMES:
2	The top document or the top page of the record says	2	Q You don't know. So if we look at page It's the second
3	"Detroit Police Department Officer Information Report,"	3	page of the entire document. It's the first page in
4	and the remaining pages are on a landscape view, and the	4	landscape format, the one that has the title "Citizen
5	beginning of it says "Citizen Complaint Report Filed	5	Complaint Report Filed Against DPD Officer," So if we
6	Against DPD Officer." Have you ever seen anything that	6	look at the top, right under "Office of the Chief
7	looks like the pages I have just handed you?	7	Investigator," BPC No. 03-300, CCR No. 33612, so where the
8	A No.	8	finding says "Sustained," do you know whether that means
9	Q Okay. Sorry. I have to find what I'm looking for. I'll	9	that the complaint against you was found to have some
10	give you a second to finish reading over it.	10	merit?
11	A Oh, no. I'm good. Go ahead.	11	A I don't know. I haven't answered to any complaints.
12	Q Now, I understand that you didn't create this record, and	12	Q So is it your testimony that between the dates of April
13	you're not familiar with this record, but to your	13	2nd, 2003, and March 25th, 2004, no one notified you that
14	knowledge, if this record were presented as a list of	14	there was a complaint against you that had any merit?
15	complaints that had been made against you, would you have	15	A No, but it would be fair to say that every complaint that
16	a reason to disagree with that?	16	has my name included on it, I'm not advised of it.
17	A Is that what this is?	17	Q Do you know whether your supervisors are advised of it?
18	MR. ASHFORD: Objection as to form, asked and	18	A I have no idea.
19	answered.	19	Q Okay. Is it your understanding that if a complaint were
20	BY MS. JAMES:	20	made against you that investigators found to have some
21	Q I didn't make the record. I can only tell you that this	21	merit, is it your understanding that they would notify you
22	has been produced to us as coming from the Detroit Police	22	of it?
23	Department in response to our request for reports of	23	A Well, I would say that it's my understanding, while
24	citizen complaints against defendants in this case.	24	working at Northeastern District, that I would be advised
25	A I see the form on the back.	25	of it, but a lot of the complaints that come from the
			•
	Page 99		Page 101
1	Page 99 Q Okay.	1	
1 2	•	1 2	Page 101
	Q Okay.		Page 1.01 narcotics unit is usually against the crew.
2	Q Okay. A Yes. Q Yes, you agree that that's what this is?  MR. ASHFORD: Object to	2	Page 1.01 narcotics unit is usually against the crew.  Q Okay. So just to clarify, you have no memory of any
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2 3	Q Okay. A Yes. Q Yes, you agree that that's what this is?  MR. ASHFORD: Object to THE WITNESS: 1 won't agree to it, but it has my name and says citizen complaint, so if you requested it, I	3 4	Page 1.01 narcotics unit is usually against the crew.  Q Okay. So just to clarify, you have no memory of any complaint made against you to which this could be referring; is that fair?
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### Officer Sheron Johnson 10/28/2011

27 (Pages 102 to 105)

		,	
	Page 102	Pag	e 104
1	Q And what are the two that you know of?	1 cause?	
2	A My shooting.	2 A No.	
3	Q Okay. And when did the shooting occur?	3 Q And to your knowledge, have you ever been sued wh	iere vou
4	A I think it was 2003.	were accused of causing a person's vehicle to be seize	-
5	Q Do you know the name of the plaintiff in that case by any	without probable cause?	
6	chance?	6 A No.	
7	A No. I can't remember his name.	7 Q To your knowledge, have you ever been sued and ac	nused of
8	Q Do you know whether that lawsuit has concluded or whether	8 using excessive force other than the shooting?	suscu oi
9	it's still pending?	9 A No.	
10	A It's concluded.	O Q And I apologize that I don't have any more detail, but	مام
11	Q Okay. Do you know what the conclusion was, how it ended?		
12	A It didn't he didn't he wasn't granted his lawsuit.		eone
13	Q His lawsuit was dismissed; is that your understanding?	<ul><li>named Shae Martin? Does that ring a bell to you?</li><li>A No.</li></ul>	
14	•		41
15	A. I don't know. I don't know. Is that the term they use?  But he didn't win his lawsuit.	4 Q To your knowledge, was Shae Martin a plaintiff in ei	tner
16		of the cases that we have discussed before, the car	
	Q Do you recall whether that went to trial? Did you testify	6 accident or the shooting?	
17	at trial?	7 A No, unless it's a female. Is Shae Martin a female?	
18	A He was found guilty in trial.	8 Q I wish I could tell you.	
19	Q I'm sorry, I'm talking about the civil lawsuit.	9 A I don't know. I can't remember the young man's daug	hter's
20	A I just came in and was deposed, and that was it.	o name, so I don't know.	
21	Q And to your knowledge, do you know whether or not the	1 MS. JAMES: And, again, just for the record, w	
22	lawsuit settled?	2 have requested all documents regarding lawsuits again	
23	A No, it didn't.	3 the defendants, and we have not been able to obtain al	
24	Q All right. And what's the other case that you recall?	4 the documents we have requested, and I would formal	ly
25	A I was hit on duty by a civilian.	5 request any records within the defendant's control	
	Page 103	Page	≥ 105
1		•	e 105
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q Hit in what way?</li> <li>A By a motor vehicle.</li> <li>Q Oh, okay. And did you sue someone as a result of that, or were you sued?</li> <li>A No. The person that hit me died two years later, not as a result of the accident, but his family said ever since the accident His daughter tried to sue. I don't know if it was a loss of her father, but she came in and put in a lawsuit.</li> <li>Q Okay. And do you recall when that Do you recall the approximate time period that you were notified of that lawsuit?</li> <li>A No. I don't even remember the year. It's been a long time.</li> <li>Q Is it fair to say several years ago?</li> <li>A Yeah.</li> <li>Q And do you recall the outcome of that lawsuit?</li> <li>A There was no pay-out, anything.</li> <li>Q To your knowledge, have you, other than the lawsuit that brings us here today, do you know whether you have ever been sued where there was an accusation that you detained someone without probable cause?</li> <li>A No.</li> </ul>	regarding the Martin lawsuit.  BY MS. JAMES:  Q Do you know whether any lawsuits against you have resulted in an internal investigation within the department of you?  A No.  Q Have you ever been disciplined as the result of a law against you?  A No.  Q And, again, bear with me. I have to phrase these a f different ways. Have you ever been ordered to attend training as the result of a lawsuit against you?  A No.  Q And have you ever been warned, either formally or informally, as the result of any lawsuits against you?  A No.  Q Okay. Let me consult with my colleague for just a s but I think we may be done.  (Discussion off the record.)  MS. JAMES: Let's go back on the record for j a second. I have no further questions.  MR. ASHFORD: I have no questions. (Deposition concluded at 1:40 p.m.)	suit ew any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>Q Hit in what way?</li> <li>A By a motor vehicle.</li> <li>Q Oh, okay. And did you sue someone as a result of that, or were you sued?</li> <li>A No. The person that hit me died two years later, not as a result of the accident, but his family said ever since the accident His daughter tried to sue. I don't know if it was a loss of her father, but she came in and put in a lawsuit.</li> <li>Q Okay. And do you recall when that Do you recall the approximate time period that you were notified of that lawsuit?</li> <li>A No. I don't even remember the year. It's been a long time.</li> <li>Q Is it fair to say several years ago?</li> <li>A Yeah.</li> <li>Q And do you recall the outcome of that lawsuit?</li> <li>A There was no pay-out, anything.</li> <li>Q To your knowledge, have you, other than the lawsuit that brings us here today, do you know whether you have ever been steed where there was an accusation that you detained someone without probable cause?</li> </ul>	regarding the Martin lawsuit.  BY MS. JAMES:  Q Do you know whether any lawsuits against you have resulted in an internal investigation within the department of you?  A No.  Q Have you ever been disciplined as the result of a law against you?  A No.  Q And, again, bear with me. I have to phrase these a find different ways. Have you ever been ordered to attend training as the result of a lawsuit against you?  A No.  Q And have you ever been warned, either formally or informally, as the result of any lawsuits against you?  A No.  Q Okay. Let me consult with my colleague for just a second. I have no further questions.  MR. JAMES: Let's go back on the record for just a second. I have no further questions.	suit ew any

#### 2:10-cv-10675-VAR-MKM Doc # 84-28 Filed 04/17/12 Pg 29 of 29 Pg ID 2250

## Officer Sheron Johnson 10/28/2011

28 (Page 106)

Page 106

-	STATE OF MICHIGARY
2	) ss. COUNTY OF OAKLAND)
3	,
	I, Denise Moorfoot, a Notary Public in and for
4	the above county and state, do hereby certify that the
5	
6	witness, whose attached deposition was taken before me in
•	the entitled cause on the date and the time and place
7	
8	hereinbefore set forth, was by me first duly sworn to
	testify to the truth, the whole truth and nothing but the
9	•
10	truth; that the testimony contained in said deposition was
	by me reduced to writing in the presence of said witness
11	
12	by means of stenography; that said testimony was
	thereafter reduced to written form by mechanical means;
13	
14	and that the deposition is, to the best of my knowledge
	and belief, a true and correct transcript of my
15	· ·
16	stenographic notes so taken.
т6	I further certify that I am not of counsel to
17	Trainer certify that I am not of counsel to
	either party nor interested in the event of this can
18	Kuuri Madkoof 💢 💮 🔞
19	Denise Moorfoot
20	Notary Public, Oakland County
	Acting in the County of Wayne
21	My commission expires: 10-30-11
22	

# 2:10-cv-10675-VAR-MKM Doc # 84-29 Filed 04/47/1020-Pg-2:064- Pg-LD 2253

State of Michigan County of Wayne	<b>U</b> 423=640=08
City of Detroit The undersigned upon	his oath deposes and says that on:
2 Stated 18-1	(a) 15 B/2008 2200
DAY	MO. PA.; YEAR
NAME / / (OF)	W. Leusston And
ADDRESS 141	210
CITY JUNE HAS	STATE // ZIP/CALL
EYES 6 17 Januar HT. C	WT. SEXC / D.O.B. TO ST.
4	HAIR COLOR
Drivers License No. MACH	00 798 354 684 State My
or other I.D. (SPECIFY)	
Social Security No. Last	4 Digits
Did unlawfully in the city offense;	and county aforesaid commit the following
	RIN A PLACE.
	AL OCCUPATION
	38-5-1
Contrary to the Municipal	Code of the City of Detroit, Sec.
Issuing Officer / (	Badge 280
District	S.C. Area
I declare under the penaltie of my information, knowled	s of perjury that the statements above are true to the be
5/31/05	12/11
) Date	Signature of Complainant
F	explanation and instructions:
T	Court Within 21 Days
Court Ro	6/0/25
<i>#</i> -	e Arraignment ( 4 / 1 % @ 8:30 A.I  Court Will Notify)
C onvenie	Court will Mothy)

36th DISTRICT COURT, TRAFFIC AND ORDINANCE DIVISION 421 MADISON AVENUE, DETROIT, MICHIGAN 48226 TELEPHONE: (313) 965-8700



		1	2	3	[38%]	6	4		0	8	
--	--	---	---	---	-------	---	---	--	---	---	--

	ARRAIGNED AND PLEADS
Gulity Not Gulity	*
MAGISTRATE'S RECOMMENDATION:	
Pr 6-8	4-05e
	BY.
1 CONTINUED TO NANCY BLOUNT, BEVERLY A. DAVIS	
2 CONTINUED TO GRANCH M.	3102568
- JUN 2 4 2005	
CAPIAS ALL LA LABORANTE	2N09
OFFICER'S NOTATIONS!	J 8300
NANCY BLOUNT, JUDGE	
FINE OF \$ STEP TO BE VERLY HAT CSR-2089	

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800/39 80/11

### Filed 04/17/12 Pa 2 of 9

DETROIT POLICE DEPARTMENT FOLLOW-UP REPORT

DETROIT POLICE DEPARTMENT

Reporting Officer

Assisted By

Assist Agency

231996 - BUGLO, DANIEL

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

Page 1 of 8

Subject PROPERTY CONFISTCATED

Case Report Status

County

City/Township

Occurred On

(and Between) Location CSZ

Census/Geo Code Grid

Call Source Vehicle Activity

Vehicle Traveling Cross Street

> Means Other Means Motive Other Motives

V - VERIFIED 82 - WAYNE 99 - DETROIT

5/31/2008 2:20:00 AM

5141 ROSA PARKS BLVD.

5150 C2 - 0102

OTHER

Clearance Reason Date of Clearance Reporting Agency

Division Notified

Date Entered

Entered By

Date Verified

Verified By

Date Approved

Connecting Cases

Tactical Actions

Approved By

Disposition

5/31/2008 8:01:22 AM

230853 - SMITH, RAYMOND

5/31/2008 8:39:18 AM 231996 - BUGLO, DANIEL

ACTIVE

VICE SECTION

DETROIT POLICE DEPARTMENT

Report Narretive

POLICE OFFICER RAYMOND SMITH BADGE 1619 ASSIGNMENT VICE ENFORCEMENT

**EXECUTION OF SEARCH WARRANT #08001827** 

ON ABOVE MENTION DATE AND TIME VICE EXECUTED MENTION WARRANT AND CONFISCATED THE BELOW PROPERTY'S. ALL PROPERTY WAS CONVEY AND STORED AT CENTRAL DIST.

Offense Detail: 0990 - INFORMATION

Offense Description 0990 - INFORMATION

18R Code IBR Group Crime Against

Offense File Class

Local Code

Using Criminal Activity Weapons

99009 -PACC

Location 05 - COMMERCIAL/OFFICE BUILDING Offense Completed?

NO

Hate/Bias 00 - NONE (NO BIAS) Domestic Violence NO

No. Prem. Entered Entry Method

Type Security Tools Used

Property Description Item 1: 2102 - BILLS - MISC./ASSORTED - U.S CURRENCY

Item No.

Property Category

2102 - BILLS - MISC./ASSORTED

Property Class 20

**IBR Type** 20 - MONEY

UCR Type A - CURRENCY, NOTES, ETC ... Status ES - EVIDENCE (SEIZED)

Count Value 168

Manufacturer Model

Serial No. License No.

Color Description U.S CURRENCY

Vehicle Year Body Style

State License Year

Printed For:

Printed: June 2, 2008 - 11:05 PM

NetRMS\_MICR.df v2f

### #84-30 Filed 04/17/12 Pg 3 of 9 Pg ID 2257

## DETROIT POLICE DEPARTMENT FOLLOW-UP REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

Recovered Date/Time

Owner

Disposition

Evidence Tag

E28083604

Lock Seals

Evidence Recovered Date/Time

5/31/2008 2:20:00 AM

**CD - CENTRAL DISTRICT 1** 

Evidence Recovered By Evidence Recovered From

230853 - SMITH, RAYMOND **PREMISES** 

Evidence Location

Alert(s)

Drug Type Drug Quantity Drug Measure

Property Notes \$168.00 IN U.S CURRENCY

#### Property Description Item 2: 2102 - BILLS - MISC./ASSORTED - U.S CURRENCY

Item No. Property Category

20

60

2102 - BILLS - MISC./ASSORTED

Property Class

IBR Type

20 - MONEY

UCR Type

A - CURRENCY, NOTES, ETC ... ES - EVIDENCE (SEIZED)

Count Value

Manufacturer

Model

Serial No.

License No.

Cofor

#### Description U.S.CURRENCY

Vehicle Year Body Style

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Lock Seals

E28083704

Evidence Recovered Date/Time

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

Evidence Recovered By Evidence Recovered From

**BRANDON WALLEY** CD - CENTRAL DISTRICT 1

Evidence Location

Alert(s)

Drug Type

**Drug Quantity** Drug Measure

Property Notes \$60.00 IN U.S CURRENCY

#### Property Description Item 3: 2102 - BILLS - MISC./ASSORTED - U.S CURRENCY

Item No.

Property Category

2102 - BILLS - MISCJASSORTED

Property Class 20

IBR Type

20 - MONEY

**UCR Type** A - CURRENCY, NOTES, ETC ...

Status ES - EVIDENCE (SEIZED)

Count

Value 663

## **DETROIT POLICE DEPARTMENT FOLLOW-UP** REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

Manufacturer Model

Serial No. License No.

Color

Description

Vehicle Year

Body Style State

License Year

Recovered Date/Time

Owner Disposition

Evidence Tag

E28083804

**Lock Seals** Evidence Recovered Date/Time

Evidence Recovered By

Evidence Recovered From

Drug Type

Evidence Location Alert(s)

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

**U.S CURRENCY** 

JOSEPH TIMLIN **CD - CENTRAL DISTRICT 1** 

**Drug Quantity** Drug Measure

Property Notes \$663.00 IN U.S CURRENCY

Property Description Item 4: 1699 - COMPUTER - OTHER - PROSTAR LAPTOP COMPUTER

item No.

Property Category

1699 - COMPUTER - OTHER

Property Glass \_\_ 07 -

IBR Type 07 - COMPUTER HARDWARE/SOFTWARE UCR Type F - TV'S, RADIOS, STEREOS, ETC ...

PROSTAR LAPTOP COMPUTER

ES - EVIDENCE (SEIZED)

Count

Value Manufacturer

Model

Serial No.

License No.

Color

Description Vehicle Year

Body Style

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag Lock Seals

Evidence Recovered Date/Time

Evidence Recovered By

Evidence Recovered From Evidence Location

Alert(s)

E28083904

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

**PREMISES** 

**CD - CENTRAL DISTRICT 1** 

Drug Type

Drug Quantity

Drug Measure

Property Notes

## DETROIT POLICE DEPARTMENT FOLLOW-UP

REPORT

**DETROIT POLICE DEPARTMENT** 

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

#### Property Description Item 5: 2806 - MERCHANDISE - TV, RADIO, STEREO, VCR - TECHNICS TURNTABLE

Item No.

Property Calegory

2806 - MERCHANDISE - TV, RADIO, STEREO, VCR

Property Class 19

**1BR Type** 

19 - MERCHANDISE

**UCR Type** F - TV'S, RADIOS, STEREOS, ETC...

ES - EVIDENCE (SEIZED) Status

Count Value 0

Manufacturer

Model

Serial No. License No.

Color

Description

**TECHNICS TURNTABLE** 

Vehicle Year Body Style

State

License Year

Recovered Date/Time

Owner Disposition

Evidence Tag

Lock Seals

Evidence Recovered Date/Time

Evidence Recovered By

Evidence Recovered From

Evidence Location

Alert(s)

E28084004

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

PREMISES

**CD - CENTRAL DISTRICT 1** 

Drug Type

**Drug Quantity** 

Drug Measure

#### Property Description Item 6: 2806 - MERCHANDISE - TV, RADIO, STEREO, VCR - VESTAX MIXER

Item No.

Property Category 2806 - MERCHANDISE - TV, RADIO, STEREO, VCR

Property Class 19

> IBR Type 19 - MERCHANDISE

> > 0

**UCR Type** F - TV'S, RADIOS, STEREOS, ETC ...

Status ES - EVIDENCE (SEIZED)

Count

Value

Manufacturer Model

Serial No.

License No.

Color

Description

**VESTAX MIXER** 

Vehicle Year

**Body Style** 

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Lock Seals

E28084104

Evidence Recovered Date/Time

5/31/2008 2:20:00 AM

2:10-cv-10675-VAR-MKM Doc # 84-30 Filed 04/17/12 Pg 6 of 9 Pg ID 2260

## DETROIT POLICE DEPARTMENT FOLLOW-UP REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

Evidence Recovered By Evidence Recovered From Evidence Location

230853 - SMITH, RAYMOND

PREMISE

Alert(s)

CD - CENTRAL DISTRICT 1

Drug Type **Drug Quantity** Drug Measure

Property Notes

## Property Description Item 7: 2806 - MERCHANDISE - TV, RADIO, STEREO, VCR - TECHNICS TURNTABLE

Item No. Property Category

2806 - MERCHANDISE - TV, RADIO, STEREO, VCR

Property Class 19

IBR Type

19 - MERCHANDISE UCR Type

Status

F - TV'S, RADIOS, STEREOS, ETC ...

ES - EVIDENCE (SEIZED)

TECHNICS TURNTABLE

Count Value 0

Manufacturer

Model 1200

Serial No. License No.

Color

Description

Vehicle Year

**Body Style** 

State

License Year

Recovered Date/Time

\_\_ Owner Disposition

Evidence Tag

Lock Seals

Evidence Recovered Date/Time

Evidence Recovered By

Evidence Recovered From

Alert(s)

Evidence Location

230853 - SMITH, RAYMOND **PREMISES CD - CENTRAL DISTRICT 1** 

5/31/2008 2:20:00 AM

Drug Type Drug Quantity Drug Measure

## Property Description Item 8: 1206 - WINE - (3) 5 LITER CONTAINER OF FRANZIA WINE

Item No.

Property Category

1206 - WINE

E28084204

Property Class 02

IBR Type 02 - ALCOHOL

UCR Type I - CONSUMABLE GOODS

Status ES - EVIDENCE (SEIZED)

Count 3

Value 0

Manufacturer

Model

Serial No.

License No.

Color Description

Vehicle Year

(3) 5 LITER CONTAINER OF FRANZIA WINE

VetRMS\_MICR.rtf v2f

Doc # 84-30 Filed 04/17/12 Pg 7 of 9 Pg ID 2261

DETROIT POLICE DEPARTMENT FOLLOW-UP REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

Body Style

State

License Year

Recovered Date/Time

Owner Disposition

Evidence Tag

Lock Seals

E28084304

Evidence Recovered Date/Time

Evidence Recovered By Evidence Recovered From

Evidence Location

Alert(s)

Orug Type Drug Quantity Drug Measure

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

**PREMISE CD - CENTRAL DISTRICT 1** 

Property Notes

Property Description Item 9: 1200 - BEER - 30 PACK OF MILLER BEER IN CAN

Item No.

Property Category

1200 - BEER Property Class 02

**ЈВ**В Туре

02 - ALCOHOL

UCR Type 1 - CONSUMABLE GOODS Status ES - EVIDENCE (SEIZED)

Count 30 Value O

Manufacturer

Model

Serial No.

License No.

Color

Description Vehicle Year

Body Style

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

E28084404

Lock Seals

Evidence Recovered Date/Time

Evidence Recovered By

Evidence Recovered From Evidence Location

Alert(s)

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

**PREMISE** 

CD - CENTRAL DISTRICT 1

30 PACK OF MILLER BEER IN CAN

Drug Type Drug Quantity

Drug Measure

Property Description Item 10: 2102 - BILLS - MISC./ASSORTED - U.S CURRENCY

Item No.

Property Calegory

2102 - BILLS - MISC./ASSORTED

Property Class

20 20 - MONEY

IBR Type

UCR Type

Status

A - CURRENCY, NOTES, ETC ... ES - EVIDENCE (SEIZED)

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Printed: June 2, 2008 - 11:05 PM

#### DETROIT POLICE DEPARTMENT FOLLOW-UP <del>/17/12 Pg 8 of 9</del>

REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

Count Value 367

Manufacturer

Model

Serial No.

License No. Color

Description

Vehicle Year

Body Style

State License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Lock Seals

Evidence Recovered Data/Time

Evidence Recovered By Evidence Recovered From

Evidence Location

Alert(s) Drug Type

Drug Quantity

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

E28084504

**U.S CURRENCY** 

**PREMISE CD - CENTRAL DISTRICT 1** 

Drug Measure

Property Notes \$367.00 IN U.S CURRENCY Property Description Item 11: 1202 - KEG - 1 KEG OF BEER

Ilem No.

02

Property Calegory 1202 KEG

Property Class

IBR Type

UCR Type

I - CONSUMABLE GOODS **ES - EVIDENCE (SEIZED)** 

02 - ALCOHOL

1 KEG OF BEER

Status

Count

n

Value

Manufacturer Model

Serial No.

License No.

Color

Description

Vehicle Year Body Style

State

License Year

Recovered Date/Time

Owner Disposition

Evidence Tag

Lock Seals

Evidence Recovered Date/Time

Evidence Recovered By

Evidence Recovered From

Evidence Location

Alert(s)

Drug Type Drug Quantity Drug Measure

E28084604

5/31/2008 2:20:00 AM 230853 - SMITH, RAYMOND

PREMISE

**CD - CENTRAL DISTRICT 1** 

NetRMS\_MICR.rtf v2f

# DETROIT POLICE DEPARTMENT FOLLOW TOP Pg 9 of 9 Pg ID 2263 REPORT

DETROIT POLICE DEPARTMENT

Case No. 0805310096 Report No. 0805310096.2 Report Date: 5/31/2008

8

Property Notes

VetRMS MICRALIVE

2:10-cv-10675-VAR-MKM Doc # 84-31 Filed 04/17/12 Pg 2 of 3 Pg ID 2265



KYM L. WORTHY PROSUCETING ATTORNEY

## COUNTY OF WAYNE OFFICE OF THE PROSECUTING ACTORMEY DETROIT, MICHIGAN

(宗职未签V地承 加维斯勒特战 時內對 (施)繁/熟集市市 1441 ST ASTRONS STRIFT PRITROFF, MICHELAND ASSESSED

This (\$15) 224-5177 FAX: (213) 224-097.6

June 04, 2008

Alan N Gross 47729 Falcon Drive Shelby Twp. MI 48315-5008

RE: Release of Vehicle Used in Alleged Violation of Nuisance Laws

Case Number: 08-VEU-75 **Seizure Date:** 5/31/2008

Description of Vehicle: 2001 Nissan Altima

VIN: 1N4DL01D31C236660

The above named vehicle was allegedly used in the public streets in the County of Wayne for the alleged violation of the Michigan nuisance abatement laws, forbidding lewdness, assignation, prostitution, or controlled substances as defined in §7104 of the Public Health Code. It was seized by officers of Detroit Police Dep. under the Bennis case and MCL 600.3801 et seq., which makes the vehicle subject to possible civil abatement. The Wayne County Prosecutor's Office has explained to the understanding owner(s) his/her/their right to contest the abatement of the vehicle pursuant to MCL 600.3801 et seq. and the undersigned agrees to wave the right to contest.

The Wayne County Prosecutor's Office has received a redemption payment of \$900.00, payable to the Wayne County Prosecutor's Office. Based on the payment of the redemption cost, the Wayne County Prosecutor's Office is authorizing the release of the above named vehicle and associated impound lien. The owner of the vehicle must request that the towyard operator notify the "Notification and Crime Reporting Unit" (formerly T.C.R.U.) that the impound lien is to be released. The owner of the vehicle is responsible for the costs of towing and storage payable to the towing company. Should another violation of the nuisance abatement laws of this state involving this or another vehicle owned by you and driven by yourself or Jame Andrew Gross, the settlement fee for redemption of the vehicle will be increased. This precludes any action in this case regarding the vehicle and constitutes a final settlement of the civil nuisance abatement case. This settlement is independent from and has no effect on any criminal charges that may arise from the same incident. Respectfully Submitted,

Alan N Gross,

Owner / Secured/Creditor

Owner Signature & Date

James Gonzales

Chief, Special Operations Division

RELEASE VEHICLE UPON PAYMENT OF TOWNING/STORAGE FEES. Attorney/Representative for Owner

Authorized Signature:

	2:10-cv-10675-VAR-MKM PEROST#PISOF-3620	ME <mark>Pik©ē</mark> ∙	<u>መ4/17/12 Pg 2 of 10 Pg ID 2268</u>
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** * ***	1 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN	2	<u>INDEX</u>
	2 SOUTHERN DIVISION	3	
Y.	3 IAN MOBLEY, KIMBERLY MOBLEY, PAUL KAISER, ANGIE WONG,	4	PAGE:
*	4 JÄMES WASHINGTON, NATHANIEL PRICE, JEROME PRICE, STEPHANIE	5	•
	5 HOLLANDER, JASON LEVERETTE-SAUNDERS, WANDA LEVERETTE, DARLENE HELLENBERG,	6	Cross Examination by Mr. Ashford 6
	6 THOMAS MAHLER and LAURA MAHLER, 7 Plaintiffs,	7	
	8 -VB- No. 10-10675	8	
	9 CITY OF DETROIT, VICKI YOST;	9	
1	and DANIEL BUGLO,	10	
1	Defendants.	11	
1	The deposition of JEROME PRICE, taken	12	
. 1	3 before Reporter LaVerne M. Reinhardt, CSR-2305, Notary	13	E X H I B I T S
1	4 Public in and for the County of Wayne, State of	14	
1	5 Michigan, at 1394 E. Jefferson Avenue, Detroit,	15	
1	6 Michigan, on Wednesday, October 27, 2010, commencing at	16	None.
1	7 or about the hour of 2:35 p.m.	17	
	8	18	
	0	19	
	1	20	
	2	21	
-2	:3	22	
2	.4	23	
2	5	24	
	RELIANCE COURT REPORTING	25	
	(313) 964-3611		RELIANCE COURT REPORTING
			(313) 964-3611
1	APPEARANCES:		. 4
2	KATHRYN BRUNER JAMES (P71374)	1	Detroit, Michigan
4	Goodman & Hurwitz, P.C.	2	Wednesday, October 27, 2010
3	1394 E. Jefferson Avenue  Detroit, Michigan 48207	3	2:35 p.m.
4	(313) 567-6170	4	MD ACHEODD Off the record
5	an d	02:35PM <b>5</b>	MR. ASHFORD: Off the record.
	DANIEL G. KORORKIN (P72242)	6	(Discussion held off the record.)
6	DANIEL S. KOROBKIN (P72842) American civil Libertles Union	7	MR. ASHFORD: Let the record reflect
7	Fund of Michigan 2966 Woodward Avenue	8	
8	Detroit, Michigan 48201	02:38PM 10	,
9	(313) 578-6824	02:38PM 10	
	Appearing on behalf of Plaintiffs	12	
10		13	• •
11	JERRY L. ASHFORD (P47402)	14	
12	City of Detroit Law Department 660 Woodward Avenue	02:38РМ 15	
	Suite 1650	02:38PM 15	·
13	Detroit, Michigan 48226 (313) 237-3089	17	·
14	Appearing on behalf of Defendants	18	
15	Appearing on benefit of belefitiants	19	· · · · · · · · · · · · · · · · · · ·
16		02;38PM 20	
17		21	
18 19		22	
20	•	23	•
21 22		24	
23		02:39PM 25	•
24 25			RELIANCE COURT REPORTING
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,	1		actions that I had to give testimony on.	1		record and now I'm stating it on the record, that
	2		MR. ASHFORD: So you're pretty good	2		your Social Security number will only be used in
	3		at this witness stuff.	3		the specific instance of where we need documents to
7	_			4		verify what you've told me or to secure documents
· .	4		THE WITNESS: As good as anyone gets	_		in this case and if I should find it necessary to
02:30r N	5		at it, it's not something I look forward to.			·
	6		MR. ASHFORD: So you've given	6		use your Social Security number for any other
	7		depositions before?	7		reason I will consult with your attorney first and
	8		THE WITNESS: No, always open court.	8		I certainly would never disclose a Social Security
	9		MR. ASHFORD: What's your	9		number to a third party.
02:39PM			profession?	02:42PM 10	Α.	Thank you.
l	11		THE WITNESS: I'm a marriage and	11	Q.	
	12		family therapist.	12		license with you today?
	13		MR. ASHFORD: Well, you already know	13	Α.	Yes.
	14		the rules then concerning, you know, giving	14	Q.	May I see it?
02:39PM	15		testimony. Basically we have a court reporter	02;42PM 15		MR. ASHFORD: Let the record reflect
	16		who's here taking down every word that we say so I	16		that Mr. Price has handed me a Michigan operator's
	17		need verbal responses to my questions,	17		license, number P-620-402-051-706 in the name of
	18		THE WITNESS: Yes.	18		Jerome Adams Price, 604 West Lewiston Avenue,
	19		MR. ASHFORD: Also, If I ask you any	19		Ferndale, Michigan 48220-1204, expires 9-11-2011.
02:39PM	20		question and you do not understand the question	02:42PM <b>20</b>		Date of birth, 9-11-53. Thank you very much.
	21		please let me know and I'll rephrase it until	21	BY	MR, ASHFORD:
	22		hopefully you do understand.	22	Q.	Mr. Price, on May 31st of 2008 did you own a motor
	23		THE WITNESS: Okay.	23		vehicle?
	24		JEROME PRICE,	24	Á.	Yes.
	25		having first been duly sworn, to testify to the	02:43PM 25	Q.	What kind of motor vehicle did you own?
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
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-			6			8
	1	1	truth, the whole truth and nothing but the truth,	1	Α.	It was a 1992 Chevrolet Corsica. '92 or '94. I'm
	2	,	was examined and testified on his oath as follows:	2		not even positive. I believe it was '92.
	_3_		CROSS-EXAMINATION	3	Q.	Was that the motor vehicle that was seized by the
	4	BY	MR. ASHFORD:	4		Detroit Police Department on May 31, 2008?
02:39PM	5	Q.	Can you give me your name, please.	02:43PM 5	Α.	Yes, it was.
	6	Α.	Jerome Allen Price, A-I-I-e-n.	6	Q.	Did you have any other vehicles?
	7	Q.	What's your current address, Mr. Price?	7	Α.	Yes.
	8	Α.	604 West Lewiston Avenue, L-e-w-i-s-t-o-n, and	8	Q.	What other vehicle did you own?
	9		that's Ferndale, Michigan.	9	Α.	At the time I owned a 1998 Ford Econoline van and a
02;40PM	10	Q.	How long have you lived there?	02:43PM 10		19 I'm sorry, 2002 Saturn SL1.
	11	Α.	1983 so 27 years.	11	Q.	And you were the registered owner of all three
	12	Q.	Who do you live there with?	12		vehicles?
	13-	-A		- 13	Α-	Yes:
	14		technically the residence of my 18-year-old son	14	Q.	Were all three vehicles insured?
02:40PM			Seth who is away at college.	02:43PM 15	Α.	Yes.
02.761 111	16	Q.	How old is Nathaniel?	16		Were they all insured by the same insurance
	17	Α.	Twenty-three.	17		company?
	18	Q.	What is your date of birth?	18		•
	19	Α.	9-11-53. Tell me if you need me to speak up at any	19		
02;41PM	~~	~	point. My voice tends to not carry.	02:44PM 20	•	·
02,41111	21	Q.	What's your Social Security number?	21		You wouldn't happen to have the policy number for
	22	Α.	370-XX-6368.	22		the Chevy Corsica with you, would you?
	23	Q.	Only put the last four on the record.	23		
[ ]	24	Α.	And you'll go on record also about the limitation?	24		and that would be out in the car. I can get it for
1				1		•

02:44PM **25** 

you after the fact if you need it.

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02:41PM 25 Q. Yes, as I've explained to you, Mr. Price, off the

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			2.10-CV-10073-VAIX-WINTVI DEAGS INCOGET 3/22/				ا م
	1		9 MS, JAMES: I do believe that may		1		11 recession, '80, '81 area. Sorry to wreck the
	2		have been provided to you in the Rule 26		2		sequence. Where was I? Children's Aid, Sand Hills
	3		disclosures as well.		3		Community Mental Health. When I came back from
l,	4		MR. ASHFORD:		4		Sand Hills in 1983 I worked for Family and
·	_	_			5		Neighborhood Services in River Rouge and that was
02:44PM	_	Q.	Where were you born, Mr. Price?	02:47PM	6		- 1
	6	Α.	Detroit.		7		my last formal employment other than the fact that
	7	Q.	Did you attend high school in Detroit?		-		I'm a faculty member at Wayne County Community
	8	Α.	Yes.		8	_	College presently.
	9		What high school did you attend?		9	Q.	What do you teach?
02:44PM		Α.	Henry Ford.	02:48PM		Α.	• • •
	11	Q.	Did you graduate?		11	Q.	How long have you been a professor there?
	12	_	Yes.		12	Α.	
	13	Q.	What year did you graduate?		13	Q.	What kind of work do you do In your private
	14	Α.	That was a little back. Let's see, 1971.		14		practice?
02:44PM	15	Q.	Do you have any formal education beyond Henry Ford?	02;48PM		Α.	A full range of therapy, individuals, children,
	16	Α.	Yes, I do.		16		adolescents, divorce, marital.
	17	Q.	What other?		17	Q.	You deal with family issues?
	18	Α.	I have a bachelor's degree from in psychology		18	Α.	
	19		from Michigan State University and a master's		19		we just use a family therapy context for treating
02;45PM	ı 20		degree in counseling from Michigan State	02:48PM	20		it. It's a different treatment model.
	21		University. And I attended Wayne State for a year		21	Q.	Okay. Can you just briefly describe that for me,
	22		and a half when I was an undergrad as part of the		22		the model?
	23		bachelor's degree.		23	A.	Sure. It's called Family Systems. We don't treat
	24	Q.	Are you currently employed?		24		individuals alone very often, we believe that
02:45PN	a <b>25</b>	Α.	Yes.	02:48PM	25		people's symptoms exist within the context of the
			RELIANCE COURT REPORTING				RELIANCE COURT REPORTING
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			10				12
	1	Q.	Where?		1		people in their lives, their families, their
	2	A.	I have a private practice in Southfield, Michigan.		2		employment, their schools, whatever that is, so our
	3		It's called the Michigan Family Institute, PC. I'm		_3_		role is more intervening in the entire situation,
	4		the owner and director.		4		not just the individual, in order to bring about
02:45PN	л <b>5</b>	Q.	How long have you been in private practice?	02:49PM	5		the change.
	6	Α.	Let's see, about 25 years.		6	Q.	Okay. Mr. Price, don't be offended but I ask
	7	Q.	Have you ever worked for any kind of corporate		7		everybody the same question.
	8		entity?		8		Have you ever been arrested for
	9	A.	I've worked for agencies.	İ	9		a criminal violation during your adult life?
02;46PN	ง <b>10</b>	Q.	What agencies have you worked for?	02;49PM	10	Α.	No.
	11	A.	There were several actually.		11		MS. JAMES: Objection as to
	12	Q.	Can you give me the dates that you worked for them?		12		relevance.
	13	Α.	I graduated in 1978. After I graduated from		13	BY.	MR. ASHFORD:
	14		Michigan State in '78 I worked for North Central		14	Q.	Your answer was no?
02:46PN	и 15		Michigan Community Mental Health, that was for a	02:49PM	15		THE WITNESS: Should I answer?
	16		year and a half so through mid '79. I worked for		16		MS, JAMES: You can go ahead and
	17		Children's Aid Society in Detroit, that was only		17		answer over objections. Unless I instruct you not
	18		four months because of the '81 recession, some		18		to you can go ahead and answer.
	19		financial layoffs, so that was only three or four		19		THE WITNESS: The answer is no.
1			months, that would have been '80-ish. Then I	02:49PM	20	ВΥ	MR. ASHFORD:
02:46PN			worked for Sand Hills Community Mental Health,		21	Q.	During your adult life have you ever been treated
02;46PN	21						
02:46PM			•		22		for substance abuse?
02:46PM	22	•	that's in North Carolina. From there I was	1	22 23		for substance abuse?  MS. JAMES: Objection as to
02:46PM	. 22 . 23	;	that's in North Carolina. From there I was there for three and a half years, came back here		23		MS. JAMES: Objection as to
2 .	22 23 24	: ;	that's in North Carolina. From there I was there for three and a half years, came back here oh, in the middle of that I worked for Cornerstone	02:49PM	23 24		MS. JAMES: Objection as to relevancy. Go ahead.
02:46PN	22 23 24	: ;	that's in North Carolina. From there I was there for three and a half years, came back here oh, in the middle of that I worked for Cornerstone Counseling also and was laid off during that same	02:49PM	23 24		MS. JAMES: Objection as to relevancy. Go ahead.  THE WITNESS: No.
<i>2</i>	22 23 24	: ;	that's in North Carolina. From there I was there for three and a half years, came back here oh, in the middle of that I worked for Cornerstone	02:49PM	23 24		MS. JAMES: Objection as to relevancy. Go ahead.

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1	BY N	4R, ASHFORD:		1	Α.	Came to my attention? I don't know that I I
2		During your adult life, I know you're a therapist		2		didn't hear the name itself until all of these
3	·	but have you ever been treated by a psychiatrist, a		3		events.
4		psychologist or a mental health professional?		4	ი.	Okay. Prior to May 31, 2008 had you ever heard of
_		• • • •	an coott	5	٠.	the Contemporary Art Institute of Detroit?
2:49PM 5		MS. JAMES: Objection as to	02:52PM	6	Α.	No.
6		relevance.		_		
7		THE WITNESS: Yes.		7	Q.	Had your son ever discussed going to any kind of
8		MR. ASHFORD:		8		party at the location of the Contemporary Art
9	Q.	Okay, why?		9	_	Institute of Detroit?
2:49PM 10		MS. JAMES: Objection as to	02;52PM 1		Α.	He had discussed going to a place where they
11		relevance. Go ahead.		11		danced, I don't think he ever told me at the time
12		THE WITNESS: Generally some	1	12		the name of it, I'm presuming it was the C.A.I.D
13		combination of stress from the profession that I'm	1	13	Q.	Now when he disclosed this to you was this on an
14		in, which the symptoms that went along with that	1	[4		occasion prior to May 31st of 2008 or was it on
:50PM 15		were either, you know, mild anxiety or depression.	02:52PM 1	15		that date?
16	BY I	MR. ASHFORD:	1 1	16	A.	No, it was a prior date.
17	Q.	Okay. When's the last time you were treated?	1 1	17	Q.	Do you have any knowledge of him being a member of
18	٦.	MS. JAMES: Objection as to		18		the Contemporary Art Institute of Detroit?
19		relevance, Go ahead.		19	Α.	No.
		THE WITNESS: I've seen a therapist	02:52PM		Q.	
		•		21	٠.	disclosed to you that your car was gone, that it
21		that I've seen periodically throughout many years.		-		·
22		Once in the last month.		22		had been towed, correct?
23		MR. ASHFORD:		23	Α.	•
24	Q.	Okay. And usually this is because of stress?	_	24		because of this all happening after midnight, is
2;50PM <b>25</b>		MS, JAMES: Objection as to	02:53PM	25		that right?
		RELIANCE COURT REPORTING				RELIANCE COURT REPORTING
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		14	ļ			16
1		relevance.		1		Yes, we believe that May 31st was the morning.
2		THE WITNESS: Yes.		2	Α.	It would have been that period of time, yes,
3_	BY_	MR. ASHFORD:		3		sometime on that date.
4	Q.	Mr. Price, have you ever been a member of the		4	Q.	Your son Nathaniel Price had been using the Chevy
2:50PM <b>5</b>		Contemporary Art Institute of Detroit?	02:53PM	5		Corsica on May 30th of 2008; is that correct?
6	A.	No.		6	Α.	Yes.
7	Q.	Have you ever been to the Contemporary Art		7	Q.	Was he operating that vehicle with your permission?
8	•	Institute of Detroit's website?	-	8	A.	Yes.
9	A.	No.		9	Q.	
2:50PM 10	Q.	Have you ever been to a Contemporary Art Institute	02:54PM	10		party using that vehicle?
2:50PM 1 <b>3</b>	٠,	of Detroit event?		11	Α.	No.
				12	Q.	
12	Α.	No. One exception and that's there was a meeting			- Sq.	operating-the vehicle?
13		on the gallery property outside at a separate		13- 44	Λ	•
14		location, property owned by the C.A.I.D., where		14	Α.	He had that vehicle full-time even though it wa
2:51PM 15		there was a meeting after all of this happened with	02;54PM			my name. It's the legal formality that it was
16		the attorneys from the ACLU and that was C.A.I.D.		16		mine, he operated it regularly so I didn't keep
17		property so I suppose that I should probably		17		track of where he went with it so I didn't have
18		disclose that. But it was elsewhere.		18		understanding of anything in particular.
19		What do they call the lofts		19	Q.	When on May 31st of 2008 did you find out that the
2:51PM 20		where people do their art work? Not galleries. I	02:54PM	20		car had been towed?
21		haven't got the word.	1	21	A.	I think it was after we woke up in the morning,
22	Q.	I think I understand what you're speaking of.		22		because they got he didn't get home until rea
23	-4,1	When is the first time the		23		early morning so it was some time that mornin
24		Contemporary Art Institute of Detroit came to your		24		the 31st.
24 02:51PM <b>25</b>		•	02:54PM		Q.	
02:51PM <b>40</b>		attention?  RELIANCE COURT REPORTING	02;04PW		· .	RELIANCE COURT REPORTING
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			17			19
	1	Α.	Yes.	1		him that he might not ever get it back and he had a
	2	Q.	How?	2		lot of personal possessions in the car and at that
1.	3	Α.	A friend of his who lives in Sterling Heights, his	3		point they took his car and they started walking.
1	4		name is Josh, they called him and apparently they	4		That's pretty much it.
02:55PM	5		were walking down Woodward, holding on to some of	02:58PM <b>5</b>	Q.	Did he have any paperwork regarding the selzure of
	6		their possessions walking down Woodward Avenue in	6		his vehicle?
	7		the middle of the night with no transportation and	7	Α.	Yeah, we had one plece of paper when he came home.
	8		were calling people to try to get them to come get	8		He said that he had been told that it would be
	9		them and Josh was willing and able.	9		available for claiming, there was no information on
02;55PM	10	Q.	Okay. You were not present at the Contemporary Art	02:58PM 10		money or anything, by about Monday. There was a
	11		Institute of Detroit on the night of May 30th of	11		piece of paper that had some explanation, it might
	12		2008 Into the morning hours of May 31, 2008,	12		have had a contact phone number. Although that
	13		correct?	13		contact phone number never accessed anyone, it took
	14	Α.	Yes.	14		searching multiple police stations and numbers to
02;56PM	15	Q.	You have no personal knowledge of what occurred	02:58PM 15		figure out anything about where the car was. But
	16		there?	16		to answer your question, he had one piece of paper.
	17	A.	Correct.	17	Q.	Let me show you what's been marked as Defendant's
	18	Q,	What did your son tell you about the vehicle	18		Exhibit No. 1. I know it's not the exact piece of
	19		selzure?	19		paper.
02:55PM	20	Α.	He told me well, obviously he walked me through	02:58PM <b>20</b>	A،	This wasn't what he had at all.
	21		what had happened and the actual police entry. You	21	Q.	So that's not the type of document that he had?
	22		don't want that information, just from the point of	22	A.	No. It was a slip of paper that had a phone number
	23		the seizure itself or the entire process?	23		and some typed information on it. He had nothing
	24	Q.	What dld he tell you?	24		like this.
02:56PM	25	Α.	He told me that he had walked in the door of the	02:59PM <b>25</b>	Q.	Thank you. Did you find out who had the car?
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
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<b> </b>			18			20
	1		C.A.I.D., had been there about five minutes and the	1	A.	About a week later.
	2		police broke in, guns leveled at him and other	2	Q.	How did you find out?
	3		people, pushed people to the floor, had people	3	Α.	Well, I found out who we believed had the car.
1	4		laying on the floor. At first I think it was a	4	Q.	Okay.
02:56PM	5		period of time and then quite a bit longer period	02:59PM <b>5</b>	A.	Let's see. Well, basically I didn't find out who
	6		of time kneeling on the floor.			
	7			6		had the car until no, there was someone I
			You know, that the officers	6 7		had the car until no, there was someone I called, I don't know if it was the police
1	8		•			·
	8 9		You know, that the officers	7		called, I don't know if it was the police
02:56PM	9		You know, that the officers were laughing and joking during that period of	7 8		called, I don't know if it was the police department or the prosecutor's office, told me the
	9		You know, that the officers were laughing and joking during that period of time. That somewhere along the line they separated	7 8 9	Q.	called, I don't know if it was the police department or the prosecutor's office, told me the name of the towing yard where the car was supposed
	9 10		You know, that the officers were laughing and joking during that period of time. That somewhere along the line they separated the women from the men and allowed the women to be	7 8 9 02:59PM 10	Q.	called, I don't know if it was the police department or the prosecutor's office, told me the name of the towing yard where the car was supposed to be held, I don't remember which, by phone.
	9 10 11	<u> </u>	You know, that the officers were laughing and joking during that period of time. That somewhere along the line they separated the women from the men and allowed the women to be more comfortable while leaving the men on the	7 8 9 02:59PM 10 11		called, I don't know if it was the police department or the prosecutor's office, told me the name of the towing yard where the car was supposed to be held, I don't remember which, by phone.  Who dld you call at first? Dld you call the
	9 10 11 12		You know, that the officers were laughing and joking during that period of time. That somewhere along the line they separated the women from the men and allowed the women to be more comfortable while leaving the men on the floor. And then one by one processed each of them,	7 8 9 02:59PM 10 11 12		called, I don't know if it was the police department or the prosecutor's office, told me the name of the towing yard where the car was supposed to be held, I don't remember which, by phone. Who dld you call at first? Dld you call the prosecutor's office or the police department?
	9 10 11 12 13	<u>.</u>	You know, that the officers were laughing and joking during that period of time. That somewhere along the line they separated the women from the men and allowed the women to be more comfortable while leaving the men on the floor. And then one by one processed each of them, searching them and whatever else they did at that	7 8 9 02:59PM 10 11 12 13		called, I don't know if it was the police department or the prosecutor's office, told me the name of the towing yard where the car was supposed to be held, I don't remember which, by phone. Who did you call at first? Did you call the prosecutor's office or the police department? There was a phone number on the there was more—
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1			2:10-cv-10675-VAR-MKM PERSET#PROF-959		0042/7	119/12 Pg 7 of 10 Pg ID 2273
			21		_	23
	1		remember what it was. Something and Trumbull	1	Q.	
!	2		Towing, towing at two corners of a street.	2	Α.	They sald a variety of things.
	3	Q.	After receiving this information what did you do?	3	Q.	Okay. Is it like a release form? What is it?
	4	Α.	We arranged for a time following their directions	4	Α.	It was a release form. And also a fairly lengthy
03:00PM	5		for my son and I to go to the prosecutor's office.	03:03PM <b>5</b>		explanation of a variety of things.
	6		Nathaniel. We went, we paid the \$900 fine. We	6	Q.	Do you have that form with you currently?
	7		actually waited about a week, I don't remember	7	Α.	No, it's in the record. I've turned in a copy to
	8		exactly how long it was because we were still	8		the ACLU.
	9		trying to decide whether we were going to be part	9		MR. ASHFORD: Off the record for a
03:01PM	10		of a legal opposition to the seizing of the cars.	03:03PM 10		minute.
	11	Q.	And this was the Wayne County Prosecutor's Office,	11		(Discussion held off the
	12		correct?	12		record.)
	13	Α.	Yes. But when we finally did that's where we went	13		MR. ASHFORD: Back on the record.
	14		first.	14	BY	MR. ASHFORD:
03:01PM	15	Q.	Why did you decide not to fight the seizure of the	03:13PM 15	Q.	So Mr. Price, you were informed by the Detroit
	16		car and the fee?	16		Police Department that your Chevy Corsica was at
	17	A.	Because with the \$900 fee the possibility of losing	17		the Trumbull Towing yard?
	18		that and having to pay that anyways and the threat	18	Α.	Boulevard and Trumbull, I saw it on the paperwork,
	19		of accumulation of storage fees that could come to	19		yes.
03;01PM	20		hundreds and hundreds of dollars, what we had to	03:13PM <b>20</b>	Q.	So how did you respond to that?
	21		gain could actually wind up costing us more than	21	Α.	At that point I took the form that they gave me
	22		the car was worth, so it was a financial	22		that would release the car, not this form,
	23		consideration. Because we understood from the ACLU	23		something else they gave me, and went to the towing
	24		that it could take months.	24		yard. We were on a mission that day to get this
03:01PM	25	Q.	So it was a risk benefit analysis?	03:13PM <b>25</b>		all done.
			RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
	)		(313) 964-3611			(313) 964-3611
Γ.			22			24
	1	Α.	Basically, yes. And the need for the use of the	1	Q.	Then what happened?
	2		car.	2	Α.	When we arrived at the towing yard we sat for quite
	3	Q.	So you paid the \$900?	3		a while and, you know, waiting, and finally they
	4	Α.	Yes.	4		came out and said that there had been an error,
03;02PM	5	Q.	And then what happened? By the way, who did you	03:13РМ 5		
	•			II.		that it was at another towing yard and somewhere
!	6		pay that fee to?	6		that it was at another towing yard and somewhere down around Bagley and something else they owned
1	7	Α.	pay that fee to?  To the Wayne County Prosecutor's Office.	6 7		_ ·
		A. Q.			Q.	down around Bagley and something else they owned
	7		To the Wayne County Prosecutor's Office.	7	Q. A.	down around Bagley and something else they owned but a different name.  What date was this?
03:02PM	7 8 9	Q.	To the Wayne County Prosecutor's Office. Okay. And then what happened?	7 8	_	down around Bagley and something else they owned but a different name.  What date was this?
03:02PM	7 8 9	Q.	To the Wayne County Prosecutor's Office.  Okay. And then what happened?  Then they sent us to the Detroit Police Department,	7 8 9	Α.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.
03:02PM	7 8 9 10	Q.	To the Wayne County Prosecutor's Office, Okay. And then what happened? Then they sent us to the Detroit Police Department, I think it was the 1st Precinct, the main station	7 8 9 03:14PM 10 11 12	A. Q.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?  Probably about three weeks.
	7 8 9 10 11	Q. A. Q.	To the Wayne County Prosecutor's Office. Okay. And then what happened? Then they sent us to the Detroit Police Department, I think it was the 1st Precinct, the main station right next door.	7 8 9 03:14PM 10 11 12 13	A. Q.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?
	7 8 9 10 11	Q. A. Q.	To the Wayne County Prosecutor's Office. Okay. And then what happened? Then they sent us to the Detroit Police Department, I think it was the 1st Precinct, the main station right next door. On 1300 Beaublen?	7 8 9 03:14PM 10 11 12 13- 14	A. Q.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?  Probably about three weeks.
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	7 8 9 10 11 12 -13- 14 15 16 17	Q. Q. Q. Q.	To the Wayne County Prosecutor's Office.  Okay. And then what happened?  Then they sent us to the Detroit Police Department,  I think it was the 1st Precinct, the main station right next door.  On 1300 Beaublen?  Yes, that sounds correct.  Then what happened?  And then they located where they believed our car to be, gave us that information, I guess contacted them, I don't remember that for sure, to let them	7 8 9 03:14PM 10 11 12 13 14 03:14PM 15 16	A. Q. A. Q. A.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?  Probably about three weeks.  Okay. So then what happened after they told you it was at a Bagley towing yard?  We got in the car and drove about 20 minutes to this other towing yard.  And were you driving one of your other vehicles?
	7 8 9 10 11 12 -13 14 15 16 17 18	Q. Q. Q. Q.	To the Wayne County Prosecutor's Office.  Okay. And then what happened?  Then they sent us to the Detroit Police Department,  I think it was the 1st Precinct, the main station right next door.  On 1300 Beaublen?  Yes, that sounds correct.  Then what happened?  And then they located where they believed our car to be, gave us that information, I guess contacted them, I don't remember that for sure, to let them know that we were coming, but I don't think so. I	7 8 9 03:14PM 10 11 12 	A. Q. A. Q. A.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?  Probably about three weeks.  Okay. So then what happened after they told you it was at a Bagley towing yard?  We got in the car and drove about 20 minutes to this other towing yard.  And were you driving one of your other vehicles?  Yes.
03:02PM	7 8 9 10 11 12 -13 14 15 16 17 18	Q. Q. Q. Q.	To the Wayne County Prosecutor's Office.  Okay. And then what happened?  Then they sent us to the Detroit Police Department,  I think it was the 1st Precinct, the main station  right next door.  On 1300 Beaublen?  Yes, that sounds correct.  Then what happened?  And then they located where they believed our car to be, gave us that information, I guess contacted them, I don't remember that for sure, to let them know that we were coming, but I don't think so. I think they just located it in the computer and sent	7 8 9 03:14PM 10 11 12 	A. Q. A. Q. A.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?  Probably about three weeks.  Okay. So then what happened after they told you it was at a Bagley towing yard?  We got in the car and drove about 20 minutes to this other towing yard.  And were you driving one of your other vehicles?  Yes.  Okay. What happened after you arrived at the other towing yard?  We were there for a half hour or 40 minutes. They
03:02PM	7 8 9 10 11 12 13 14 15 16 17 18 19	Q. A. Q. Q. A. A.	To the Wayne County Prosecutor's Office.  Okay. And then what happened?  Then they sent us to the Detroit Police Department,  I think it was the 1st Precinct, the main station right next door.  On 1300 Beaublen?  Yes, that sounds correct.  Then what happened?  And then they located where they believed our car to be, gave us that information, I guess contacted them, I don't remember that for sure, to let them know that we were coming, but I don't think so. I think they just located it in the computer and sent us there to go get it.	7 8 9 03:14PM 10 11 12 	A. Q. A. Q. A. Q.	down around Bagley and something else they owned but a different name.  What date was this?  I'm not certain.  Okay. Do you know how long it was after the vehicle seizure?  Probably about three weeks.  Okay. So then what happened after they told you it was at a Bagley towing yard?  We got in the car and drove about 20 minutes to this other towing yard.  And were you driving one of your other vehicles?  Yes.  Okay. What happened after you arrived at the other towing yard?
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	,		25				27
	1	_	we told them it wasn't ours.	1		Α.	We only had personal liability on it, there was no
	2	Q.	So then what happened?	2			collision or theft coverage so there was nothing to
	3	Α.	They called back down to the other towing yard, the	3		_	file.
	4		original one, and the towing yard said send them	4	_	Q.	Did you file any type of legal claim against the
03:15rM	5		back here, apparently, based on what they told us	03:17PM 5			towing company or the towing yard based upon what
	6		at this towing yard, so we went back to the	6			happened to your vehicle?
	7		original towing yard, sat for a few minutes and	7		Α.	After another couple of months of them promising us
	8		then a relatively contrite looking man, the manager	8			an equivalent vehicle, and I was agreeable to
	9		I guess, came out and explained to us that our car	9	-		taking an equivalent vehicle that they had legal
03:15PM			had been stolen three weeks earlier.	03:18PM 10			ownership of, after waiting a couple of months with
	11		So it must have been more than	11			all sorts of promises and nothing coming to
	12		three weeks, it must have been more like a month,	12			fruition I filed a small claims action in Wayne
	13	_	after the original incident.	13			County 36th District Court I believe against the
	14	Q.	Do you know the name of this manager?	D3:18PM 15		^	towing yard.
03:15PM		Α.	No, but it should be in the records, we have forms	03:18PM 15		Q. ^	What was the result of that action?  We mediated a \$1300 settlement.
	16		signed by him. Matt something, I can't remember	17		A. Q.	
	17	_	his last name. And that the car had been stolen.	18		Q. A.	Was that to your satisfaction?  Not really. I mean it didn't cover my expenses. I
1	18	Q.		19		Α.	felt that it was the wise thing to do to cut my
	19	Α.	They said they tried to make a police report but	03:18PM 20			damages at that point. It didn't come anywhere
03:15PM			the Detroit Police said they refused, said	03:18PM 21			near settling my losses, just on the car and its
	21		something about it being on private property and it	22	_		
	22		not being their vehicle and therefore they couldn't	23		^	possessions.
	23		take a report on it if it wasn't their vehicle so	24		α. Α.	What were your losses?  Well, what I told them there in terms of now
	24	^	basically they said there wasn't.	03:18PM 25		м.	we're talking physical losses, not my time or a
03:16PM	25	Q.	Did you make a police report?  RELIANCE COURT REPORTING	03:18PM 43	J		RELIANCE COURT REPORTING
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H			(313) 964-3611				28
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	4		Yes, we went from there to the Southwest Detroit		1		variety of other things, but based on the actual
	2	Α.	police station after talking with them at some		2		losses to the car, the car was now booked at around
	3		length. And we had already paid the money for the		3		\$2,000 but possessions in the car included a couple
	4		storage and he did return the money for the		4		baseball bats, couple of baseball mitts, 2 MP3
03;16PM	5		storage.	03:19PM 4	5		players, a basketball and there were additional
USTOFIN	6	Q.	~		6		things as well so I had estimated oh, a set of
	7	Α.	•	;	7		golf clubs, Nathaniel's golf clubs, so the
	8		because he didn't have a car to give us back.	:	8		possessions I figured and the car came to maybe
	9	Q.	· · · · · · · · · · · · · · · · · · ·		9		\$3,000, that's what I filed the claim for.
03:16PM			had been stolen the first time that you appeared at	03:19PM <b>1</b> 0	0	Q.	Besides damages that we've discussed here today did
	11		the towing yard?	1.			you suffer any other type of damages as a result of
	12	Α.	Not really, just that it's a big place. That was	1:	2		the police action that occurred on May 31, 2008 at
	13		as articulate as they got.	-  1;	3		-the G.A.I.D.?
	14	Q.		14	4	Α.	Well, certainly the loss of the \$900 without
03:16PM		•	vehicle?	03:20PM 1	5		getting the car which was part of the release,
	16	Α.	No.	10	6		included getting the car, and no response from the
	17	Q.	Did you ever hear anything else from the Detroit	1	7		prosecutor's office to any of my calls requesting
	18		Police Department after you made the police report?	18	8		to be able to discuss that, and a good many hours
	19	Α.	No.	1:	9		of my time. You know, that day alone was a full
03:17PM	20	Q.	Did you ever make a citizen's complaint concerning	03:20PM 2	0		day off practice. I see an average of five to six
	21		the police action of May 31st of 2008 with the	2	1		clients a day at \$140 an hour, probably 130 back
	22		Detroit Police Department?	2:	2		then, so it was between that and all the phone time
Ý,	23	Α.	No, I didn't.	2	3		and anxiety is a whole other issue but it mostly
1	24	Q.	Did you ever file an Insurance claim concerning the	2			came down to a whole lot of hours spent which I'd
03:17PM	25		stolen vehicle?	03:21PM 2	5		have to calculate to come up with how much it was
			RELIANCE COURT REPORTING				RELIANCE COURT REPORTING
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		1		considering that, and also the necessity of	1	Q.	Did you have any anger that was directed toward the
		2	_	purchasing another car.	2		towing company or the towing yard?
		3	Q.	What do you mean anxiety is a whole other issue?	3	Α.	•
i		4	A.	Well, I mean this was an anxiety provoking	4	Q.	Why?
03:2	ı⊬M	5		situation so I was angry a lot of the time,	03:24PM 5	Α.	Well, first off, because I wasn't convinced they
		6		particularly that the idea of guns being leveled at	6		were being on the up and up totally about what
		7		my son.	7		happened about the car, where it went, how it
		8		I grew up in Detroit, I'm a	8		disappeared. The story was questionable about the
		9		supporter of this city, we've always spent time in	9		Detroit Police not taking a report, and primarily,
03:2	1PM			this city, I've worked in Wayne County, I still do,	03:24PM 10		you know, because I stayed without a car for
		11		and then my son going to Wayne State, I had some	11		another couple of months while I was waiting for
		12		misgivings about whether there could be danger from	12		them to try to come up with an equivalent vehicle
		13		crime. I didn't have any suspicion that the danger	13		when it appears that they never had the intention
		14		to him would be from the police. And the idea of	14		of coming up with something. You know, they came
03:2	1PM			anyone leveling a gun at my son infuriates me when	03:24PM 15		up with one offer which was outrageous.
		16		all he did was walk in the door of a club and he	16	Q.	
		17		wasn't even there five minutes or whatever the	17	Α.	They offered me a 1987 full size van that was
		18		place was.	18		rusting out. And had 179,000 miles on it or
		19	Q.	Did you have any anger towards the Wayne County	19		something. So they made one offer and that was a
03;2	2PM	20		Prosecutor's Office?	03:25PM 20		couple months later so yeah, I was angry about the
		21	Α.		21	_	fact that I felt led on by them.
		22	Q.	·	22	Q.	,
		23	Α.		23		today that you suffered?
		24		because they wouldn't return the money even though	24	Α.	
03:2	ŻPM.	25		the car was never released.	03:25PM <b>25</b>	Q.	, , ,
				RELIANCE COURT REPORTING		,	RELIANCE COURT REPORTING
H	;			(313) 964-3611			(313) 964-3611
-		1	Q.	Did you have any anger that you felt towards the	1		against the city of Detroit and its police
		2	σę.	Contemporary Art Institute of Detroit?	2		officers?
		3	Δ	Not really.	3	Α.	
=	-==		Q.		4		MR. ASHFORD: Okay. Thank you very
03:2	2PM	5	Α.	Because to me it wasn't part of the incident. That	03:25PM <b>5</b>		much. I have no further questions.
		6		was nothing was being done to endanger my son	6		MS. JAMES: Me neither
		7		that I'm aware of up to that point and my anger was	7		MR, ASHFORD: Thank you.
		8		about damages to us, the helplessness of having the	8		THE WITNESS: Thank you.
		9		police department and the prosecutor's office not	9		(Deposition concluded at
03:2	3PM	10		respond in any way, particularly the prosecutor's	10		3:25 p.m.)
		11		office at that point, that, you know, just knowing	11		· ·
		12		that that could even happen to my son, you know,	12		
-		13		when-I-knew-for-a fact-that due to a medical-	4-3-		
		14		condition he couldn't drink that night so it wasn't	14		
03:2	зРМ	15		even an option.	15		
		16	Q.	What medical condition is that?	16		
		17	A.	Within a few nights before he had had an esophageal	17		
		18		spasm which feels look a heart attack to the person	18		
		19		and he was in the emergency room at Beaumont	19		
03:2	зРМ	20		Hospital and the doctors made it very clear if he	20		
		21		drank anything any time soon he would have the	21		
ļ,		22		exact same thing happen again.	22		
		23		So one of the reasons I wasn't	23		
		24		angry at them was because I was confident about	24		
03;2	зРМ	25		what he was there for.	25		
				RELIANCE COURT REPORTING			RELIANCE COURT REPORTING
1				(313) 964-3611			(313) 964-3611

1 CERTIFICATE OF NOTARY STATE OF MICHIGAN) ) 55 COUNTY OF WAYNE ) I, LaVerne M. Reinhardt, CSR, Notary Public in 5 and for the above county and state, do hereby certify that the deposition of JEROME PRICE, was taken before me 6 at the time and place hereinbefore set forth, that the 7 witness was duly sworn to testify to the truth, the whole truth and nothing but the truth, that thereupon 10 the foregoing questions were asked and foregoing answers were made by the witness which were duly recorded by me 11 stenographically and later reduced to computer 12 transcription; and I certify that this is a true and 13 correct transcript of my stenographic notes so taken. 14 15 I further certify that the signature was 16 waived by counsel for the respective parties hereto; 17 also, that I am not of counsel to either party nor 18 interested in the event of this cause. 19 20 21 LaVerne M. Reinhardt, CSR-2305 Notary Public, Wayne County, 22 Michigan My Commission Expires: 01-02-15 23 24 25 RELIANCE COURT REPORTING (313) 964-3611